

# EXECUTIVE SUMMARY

## ADMINISTRATION AND REGULATION APPROPRIATIONS ACT

HOUSE FILE 809

### FUNDING SUMMARY

### MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS

- Appropriates a total of \$61.5 million from the General Fund and authorizes 1,662.2 FTE positions for FY 2010. This is a decrease of \$36.0 million and an increase of 16.2 FTE positions compared to estimated net FY 2009. The Act also appropriates a total of \$47.3 million in other funds, an increase of \$26.2 million compared to estimated net FY 2009.

- ***Department of Administrative Services (DAS)***

- A decrease of \$968,000 for a general reduction to the DAS operating budget. The decrease includes a reduction of \$114,000 for a position that will be funded from the Rebuild Iowa Office in FY 2010. (Page 1, Line 3)
- A decrease of \$126,000 for a reduction to the utilities appropriation. (Page 1, Line 14)

NOTE: Section 61 of HF 820 (FY 2010 Federal Funds Appropriations Act) appropriates \$100,000 from federal stimulus funds to the Department of Administrative Services.

- ***Auditor of State***

- A decrease of \$328,000 for a general reduction to the Auditor's operating appropriation. (Page 3, Line 33)

- ***Ethics and Campaign Disclosure Board***

- A decrease of \$14,000 for a general reduction to the Board's operating appropriation. (Page 5, Line 30)

- ***Department of Commerce***

- A total decrease of \$23.3 million to the Department's General Fund appropriations primarily associated with the establishment of the Department of Commerce Revolving Fund. (Page 6, Line 6 through Page 8, Line 6)

- ***Governor's Office***

- A total decrease of \$857,000 for general reductions to the Governor's Office appropriations. The decrease includes a reduction of \$163,000 and 2.0 FTE positions that will be funded from the Rebuild Iowa Office in FY 2010. (Page 9, Line 16 through Page 10, Line 16)

NOTE: Section 89 of SF 478 (FY 2010 Standing Appropriations Act) appropriates \$400,000 from the General Fund to the Governor's Office to offset a portion of the budget reduction in this Act.

- ***Governor's Office of Drug Control Policy***

- A decrease of \$1.7 million associated with eliminating State funding for Drug Task Forces. For FY 2010, the Drug Task Forces will be funded with federal funds. (Page 10, Line 17)

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### MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS (CONTINUED)

- ***Department of Human Rights***

- A total decrease of \$404,000 for general reductions to the divisions and programs of the Department of Human Rights. (Page 10, Line 30 through Page 12, Line 19)

- ***Department of Inspections and Appeals***

- A total decrease of \$1.3 million for general reductions to the divisions of the Department of Inspections and Appeals. (Page 13, Line 1 through Page 16, Line 28)

NOTE: Other legislation makes the following changes:

- Section 82 of SF 478 (FY 2010 Standing Appropriations Act) appropriates \$277,000 to Racetrack Regulation to restore the reduction in this Act.
- Section 82 of SF 478 (FY 2010 Standing Appropriations Act) appropriates \$321,000 to Excursion Boat and Gambling Regulation to restore the reduction in this Act.
- Section 61 of HF 820 (FY 2010 Federal Funds Appropriations Act) appropriates \$400,000 from federal stimulus funds to the Department for health facility and dependent adult-related investigations.

- ***Department of Management***

- A total decrease of \$442,000 for a general reduction to the Department's operating budget. (Page 17, Line 4)

NOTE: Section 61 of HF 820 (FY 2010 Federal Funds Appropriations Act) appropriates \$200,000 from federal stimulus funds to the DOM for costs associated with monitoring federal stimulus dollars.

- ***Department of Revenue***

- A decrease of \$3.6 million for a general reduction to the Department's operating budget. (Page 17, Line 28)

NOTE: Section 88 of SF 478 (FY 2010 Standing Appropriations Act) appropriates \$2,500,000 from the General Fund to the Department of Revenue to offset a portion of the budget reduction in this Act.

- ***Secretary of State***

- A decrease of \$284,000 for a general reduction to the Secretary of State's operating budget. (Page 18, Line 21)

- ***Treasurer of State***

- A decrease of \$115,000 for a general reduction to the Treasurer of State's operating budget. (Page 19, Line 13)

- ***Rebuild Iowa Office***

- Appropriates \$198,000 and 12.0 FTE positions for the newly established Rebuild Iowa Office. The FTE positions will be primarily funded with federal funds. (Page 20, Line 10)

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### NEW PROGRAMS, SERVICES, OR ACTIVITIES

- Appropriates a total of \$26.3 million from the Commerce Revolving Fund for the Division of Banking, Credit Union Division, Division of Insurance, Division of Utilities, and the Office of Consumer Advocate. The Act also deappropriates a General Fund appropriation of \$2.8 million to the Office of Consumer Advocate from SF 475 (FY 2010 Justice System Appropriations Act). (Page 6, Line 29 through Page 8, Line 6; and Page 52, Line 12)

- Permits the Ethics and Campaign Disclosure Board to enter into an agreement with a political subdivision authorizing the Board to enforce a Code of Ethics adopted by the political subdivision. (Page 25, Line 23)

### STUDIES AND INTENT LANGUAGE

- Specifies the intent of the General Assembly that the DAS reduce utility costs by 10.0% through energy conservation practices. (Page 1, Line 23)
- Specifies the intent of the General Assembly that the DAS take available steps to reduce the motor vehicle fleet operation and purchasing costs by 7.5%. Requires the Department to submit a report to the General Assembly by January 1, 2010. (Page 1, Line 28) *This item was vetoed by the Governor.*
- Requires that rates for services provided solely by the DAS not exceed the rates set for services as of January 1, 2009. (Page 2, Line 32) *This item was vetoed by the Governor.*
- Permits the DAS to charge \$2.00 per month for each health insurance contract administered by the Department to cover administrative costs of the State Health Insurance Program. (Page 3, Line 27)
- Permits the Auditor of State to add staff and expend additional funds to conduct reimbursable audits. (Page 4, Line 9)
- Prohibits the Auditor from increasing rates and fees for FY 2010 above the levels established as of January 1, 2009. Prohibits the Auditor from receiving reimbursements from State agencies and governmental subdivisions that exceed the total amount reimbursed to the Auditor during FY 2009. (Page 4, Line 20)
- Permits the Auditor of State to seek reimbursements from agencies for audits required by the federal government and reimbursed by federal funds. (Page 5, Line 2)
- Permits the Insurance Division of the Department of Commerce to reallocate staff to meet accreditation standards and permits examination expenditures of the Division to exceed revenues if the expenditures are reimbursable. (Page 7, Line 18)
- Permits the Utilities Division of the Department of Commerce to expend additional funds for utility company examinations if the funds are reimbursable. (Page 8, Line 7)

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### STUDIES AND INTENT LANGUAGE (CONTINUED)

- Requires the Department of Human Rights to submit a written report to the General Assembly by January 1, 2010, regarding the organization and duties of the Department and whether reorganization could provide enhanced services to Iowans. (Page 12, Line 28)
- Requires the Department of Inspections and Appeals to provide information to the public via the internet relating to inspections, operating costs, and FTE positions. (Page 13, Line 34) *This item was vetoed by the Governor.*
- Permits the Employment Appeal Board to expend funds as necessary for hearings related to contractor registration. The costs for these hearings are required to be reimbursed by the Labor Services Division of the Department of Workforce Development. (Page 14, Line 30)
- Requires the Department of Human Services, the Child Care Advocacy Board, and the Department of Inspection and Appeals to cooperate in filing an application for federal funds for Child Care Advocacy Board administrative review costs. (Page 15, Line 11)
- Specifies the intent of the General Assembly to repeal the Rebuild Iowa Office on June 30, 2011. (Page 20, Line 20)
- Directs the State agencies receiving appropriations in this Act to implement cost-savings strategies that prevent, to the extent possible, the permanent layoff of State employees. (Page 20, Line 25)
- Requires the DAS to purchase vehicles for the State at the lowest possible cost. Vehicle purchases are not to include optional equipment that increases the cost to the State unless it is specifically required by a State agency. The Department will not have to remove optional equipment if such an action would increase the cost of the vehicle to the State. (Page 21, Line 6)
- Requires any unobligated funds appropriated to the DAS for utility costs to carry forward to FY 2011. (Page 1, Line 18)
- Requires excess funds from the Workers' Compensation Fund at the end of the fiscal year to carry forward for payment of claims and administrative costs and specifies that any funds received by the DAS for workers' compensation purposes be used for the payment of workers' compensation claims and administrative costs. (Page 2, Line 23)
- Requires the first \$1.0 million collected by the Department of Transportation (DOT) from the sale of certified driver's records to be allocated to the IowAccess Revolving Fund. (Page 3, Line 10)
- Requires any unobligated funds from the FY 2010 appropriation to the Utilities Division of the Department of Commerce to carry forward to FY 2011 and be used for the energy-efficient building project. (Page 8, Line 20)

### SIGNIFICANT CHANGES TO THE CODE OF IOWA

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## ADMINISTRATION AND REGULATION APPROPRIATIONS ACT

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### SIGNIFICANT CHANGES TO THE CODE OF IOWA (CONTINUED)

- Permits the Child Advocacy Board to establish up to six pilot projects to examine alternative policies to guide the process and procedures used by local citizen foster care review boards. (Page 15, Line 23)
- Permits the Office of the Secretary of State to refund fees if a filer is not satisfied with the quality of service provided. The decision to issue a refund is at the discretion of the Secretary of State and is not subject to administrative review. (Page 19, Line 1)
- Requires the DAS and the DOT to have only the amount necessary for motor vehicle maintenance and insurance costs in a depreciation fund and directs the departments to return money not needed for those services. (Page 22, Line 3 through Page 22, Line 29) *The Governor vetoed a portion of this language.*
- Extends the repeal date of the Health Insurance Administration Fund from July 1, 2009, to July 1, 2010. (Page 23, Line 10)
- Eliminates a requirement for the Secretary of State to revert federal funds received for the purchase of optical scan voting systems to the Rebuild Iowa Infrastructure Fund (RIIF). (Page 23, Line 13)
- Repeals the funding for the Office of Grants Enterprise Management (GEMS) within the Department of Management. (Page 23, Line 31 through Page 24, Line 12) *The Governor vetoed a portion of this language.*
- Exempts certain positions within the Office of State Treasurer from collective bargaining provisions. (Page 24, Line 15)
- Permits the Treasurer of State to sell abandoned property to the highest bidder in a manner that is the most favorable market for the property involved. Allows for the Treasurer to provide notice of internet auctions via the website at least seven days in advance. (Page 24, Line 20)
- Creates a bingo license and fee of \$50 for community festivals in where bingo is permitted once each day for the duration of the festival not to exceed four days. (Page 25, Line 31)
- Creates the Department of Commerce Revolving Fund. Fees, penalties, and fines paid to the Banking Division, Credit Union Division, Insurance Division, and Utility Division are to be deposited in the Department of Commerce Revolving Fund that were previously deposited in the General Fund. (Page 27, Line 10 through Page 52, Line 11)
- Changes bingo licensee reporting requirements to the DIA from quarterly reports to an annual report. (Page 53, Line 35)
- Changes the requirements for foster care case assignments by the Foster Care Review Board. (Page 54, Line 20)

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### SIGNIFICANT CHANGES TO THE CODE OF IOWA (CONTINUED) EFFECTIVE AND RETROACTIVE DATES

- Eliminates the requirement for six-month review of cases by local Foster Care Review Boards. (Page 54, Line 28)
- Section 30 of this Act, pertaining to vehicle depreciation, is effective on enactment. (Page 22, Line 30)
- Section 6 of this Act, pertaining to discretionary audits performed by the Auditor of State, is effective on enactment and retroactive to April 1, 2009. (Page 22, Line 33)
- Section 28 of this Act, pertaining to vehicle purchases, is effective on enactment. (Page 23, Line 4)
- Section 34 of this Act, extending the repeal date of the Health Insurance Administration Fund, is effective on enactment. (Page 23, Line 22)
- Section 35 of this Act, eliminating a requirement for the Secretary of State to revert federal funds, is effective on enactment and retroactive to April 1, 2008. (Page 23, Line 26)

### GOVERNOR'S VETOES

- The Governor vetoed language requiring the DAS to take available steps to reduce the motor vehicle fleet operation and purchasing costs by 7.5%. (Page 1, Line 28)
- The Governor vetoed language prohibiting rates for services provided solely by the DAS from exceeding the rates set for services as of January 1, 2009. (Page 2, Line 32)
- The Governor vetoed language requiring the DIA to provide information to the public via the internet relating to inspections, operating costs, and FTE positions. (Page 13, Line 34)
- The Governor vetoed language requiring the DIA to seek input from facilities regulated by the Health Facilities Division to assess and improve collaboration and cooperation. (Page 14, Line 19)
- The Governor vetoed language requiring employees of agencies receiving appropriations in this Act to submit actual receipts for meals and other expenses and that employee reimbursements not exceed actual expenses. The Governor issued an Executive Order requiring the DAS to implement a policy that will require all agencies to institute cost-effective, and transparent practices that will track reimbursements paid to State employees for meals, travel, and other work-related costs. (Page 20, Line 31)
- The Governor vetoed language requiring the DOT to have only the amount necessary for motor vehicle maintenance and insurance costs in a depreciation fund. (Page 22, Line 20)
- The Governor vetoed language referencing the repeal of the funding for the GEMS Program. The Governor did not veto the language that repealed the funding for the Program. (Page 23, Line 33)

### ENACTMENT DATE

- This Act was approved by the General Assembly on April 23, 2009, and item vetoed and signed by the Governor on May 26, 2009.

House File 809 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
1	18	1.1(b)	Nwthstnd	Sec. 8.33	Nonreversion of DAS Utility Appropriation
2	23	1.3	Nwthstnd	Sec. 8.33	Carry Forward of DAS Workers' Compensation Fund
3	10	3	Nwthstnd	Sec. 321A.3(1)	Allocation of Funds to lowAccess Revolving Fund
5	2	5.2	Nwthstnd	Sec. ALL	Audit of Federal Funds
8	20	8.2(d)(3)	Nwthstnd	Sec 8.33 & 476.10	Nonreversion of Utilities Division Appropriation
15	23	13.6(d)	Nwthstnd	Sec. 237.18 & 237.20	Child Advocacy Board Pilot Projects
19	1	21	Nwthstnd	Sec. 490.122(1) (a & s) and 504.113 (1) (a,c,d,j,k,l & m)	Secretary of State Filing Fee Refunds
20	31	27	Nwthstnd	Sec. ALL	Expense Reimbursement Requirements
22	7	30.2	Nwthstnd	Sec. 8A.365 & 8.33	DAS Vehicle Depreciation Fund
22	20	30.3	Nwthstnd	Sec. 8.33	DOT Vehicle Depreciation Fund
23	10	34	Amends	Sec. 8A.454(4)	Health Insurance Administration Fund Repeal Date Change
23	13	35	Amends	Sec. 5.1, Chap. 1176, 2008 Iowa Acts	Eliminates Requirement to Revert Federal Funds
23	33	37	Amends	Sec. 8.9(1)	Repeal of Grants Enterprise Management Office funding
24	11	38	Repeals	Sec. 8A.505(2)	Repeal of Grants Enterprise Management Office funding
24	15	39	Adds	Sec. 12.9	Exempts Positions from Collective Bargaining
24	20	40	Amends	Sec. 556.17(1) & (2)	Sale of Abandoned Property
25	23	41	Adds	Sec. 68B.32A	Ethics and Campaign Disclosure Enforcing Code of Ethics
25	31	42	Adds	Sec. 99B.5A	Bingo Conducted at Fair or Festival
27	10	43	Amends	Sec. 87.11E(5)	Revolving Fund Conforming Amendment
27	18	44	Amends	Sec. 475A.3(3)	Revolving Fund Conforming Amendment
27	31	45	Amends	Sec.476.10	Revolving Fund Conforming Amendment
28	5	46	Amends	Sec. 476.10	Revolving Fund Conforming Amendment

Page #	Line #	Bill Section	Action	Code Section	Description
28	17	47	Amends	Sec. 476.10	Revolving Fund Conforming Amendment
28	28	48	Amends	Sec. 476.51(5)	Revolving Fund Conforming Amendment
29	13	49	Amends	Sec. 476.87(3)	Revolving Fund Conforming Amendment
29	25	50	Amends	Sec. 476.101(10)	Revolving Fund Conforming Amendment
30	6	51	Amends	Sec. 476.103(4)(c)	Revolving Fund Conforming Amendment
30	14	52	Amends	Sec. 476A.14(1)	Revolving Fund Conforming Amendment
30	29	53	Amends	Sec. 478.4	Revolving Fund Conforming Amendment
31	20	54	Amends	Sec. 479.16	Revolving Fund Conforming Amendment
31	27	55	Amends	Sec. 479A.9	Revolving Fund Conforming Amendment
31	33	56	Amends	Sec. 479B.12	Revolving Fund Conforming Amendment
32	6	57	Adds	Sec. 502.302(5)	Revolving Fund Conforming Amendment
32	10	58	Adds	Sec. 502.304A(3)	Revolving Fund Conforming Amendment
32	14	59	Amends	Sec. 502.305(2)	Revolving Fund Conforming Amendment
32	31	60	Amends	Sec. 502.321G	Revolving Fund Conforming Amendment
33	3	61	Adds	Sec. 502.410	Revolving Fund Conforming Amendment
33	8	62	Amends	Sec. 505.7(1)	Revolving Fund Conforming Amendment
33	19	63	Amends	Sec. 505.7(3)	Revolving Fund Conforming Amendment
33	32	64	Amends	Sec. 507.9	Revolving Fund Conforming Amendment
34	4	65	Amends	Sec. 507B.7(4)(a)	Revolving Fund Conforming Amendment
34	10	66	Amends	Sec. 508.13(3)	Revolving Fund Conforming Amendment
34	17	67	Amends	Sec. 508.14(4)	Revolving Fund Conforming Amendment
34	23	68	Amends	Sec.508.15	Revolving Fund Conforming Amendment
35	10	69	Amends	Sec. 508E.3(10)	Revolving Fund Conforming Amendment
35	15	70	Amends	Sec. 508E.16(5)	Revolving Fund Conforming Amendment
35	27	71	Amends	Sec. 512B.25	Revolving Fund Conforming Amendment
36	8	72	Amends	Sec. 514.9A	Revolving Fund Conforming Amendment
36	24	73	Amends	Sec. 514B.3B	Revolving Fund Conforming Amendment
37	6	74	Amends	Sec. 514B.12(3) & (4)	Revolving Fund Conforming Amendment
37	23	75	Amends	Sec. 514G.113	Revolving Fund Conforming Amendment
37	35	76	Amends	Sec. 515.42	Revolving Fund Conforming Amendment
38	15	77	Amends	Sec. 515.121(1) & (3)	Revolving Fund Conforming Amendment
38	32	78	Amends	Sec. 515.146	Revolving Fund Conforming Amendment
39	20	79	Amends	Sec. 515.147	Revolving Fund Conforming Amendment
39	24	80	Amends	Sec. 515A.17(1)	Revolving Fund Conforming Amendment
39	35	81	Adds	Sec. 515F.19	Revolving Fund Conforming Amendment



Page #	Line #	Bill Section	Action	Code Section	Description
40	4	82	Amends	Sec. 516E.2(2)	Revolving Fund Conforming Amendment
40	14	83	Amends	Sec. 515.15(5) & (6)	Revolving Fund Conforming Amendment
41	1	84	Amends	Sec. 518A.18(2) & (3)	Revolving Fund Conforming Amendment
41	18	85	Amends	Sec. 518A.40(4)	Revolving Fund Conforming Amendment
41	26	86	Amends	Sec. 520.10(4) & (5)	Revolving Fund Conforming Amendment
42	9	87	Amends	Sec. 520.12(2)	Revolving Fund Conforming Amendment
42	18	88	Amends	Sec. 521A.10(1)	Revolving Fund Conforming Amendment
42	31	89	Amends	Sec. 522A.5	Revolving Fund Conforming Amendment
43	5	90	Adds	Sec. 522B.5	Revolving Fund Conforming Amendment
43	9	91	Amends	Sec. 523A.204(4)	Revolving Fund Conforming Amendment
43	16	92	Adds	Sec. 523A.501	Revolving Fund Conforming Amendment
43	20	93	Amends	Sec. 523A.502(3)	Revolving Fund Conforming Amendment
43	27	94	Amends	Sec. 523A.502A(3)	Revolving Fund Conforming Amendment
43	34	95	Amends	Sec. 523A.504(2)	Revolving Fund Conforming Amendment
44	6	96	Amends	Sec. 523A.807(3)(a)	Revolving Fund Conforming Amendment
44	23	97	Amends	Sec. 523A.812	Revolving Fund Conforming Amendment
45	23	98	Adds	Sec. 523C.3	Revolving Fund Conforming Amendment
45	27	99	Amends	Sec. 523C.13(1)	Revolving Fund Conforming Amendment
46	7	100	Amends	Sec. 523D.2A	Revolving Fund Conforming Amendment
46	21	101	Amends	Sec. 523I.205(3)	Revolving Fund Conforming Amendment
46	33	102	Amends	Sec. 523I.813(3)	Revolving Fund Conforming Amendment
47	5	103	Amends	Sec. 524.207(1,3 & 4)	Revolving Fund Conforming Amendment
48	18	104	Amends	Sec.533.111(1, 3, 4 & 5)	Revolving Fund Conforming Amendment
50	4	105	Amends	Sec. 533A.14	Revolving Fund Conforming Amendment
50	12	106	Amends	Sec. 534.305	Revolving Fund Conforming Amendment
51	11	107	Adds	Sec. 534.408(3)	Revolving Fund Conforming Amendment
51	17	108	Adds	Sec. 546.12	Creates Commerce Revolving Fund
52	12	109	Amends	Sec. 2, SF 475	Revolving Fund Conforming Amendment
52	29	110	Amends	Sec. 99B.2(1)(a)	Inspections and Appeals Bingo Licenses
53	19	111	Amends	Sec. 99B.2(1)(b)	Inspections and Appeals Bingo Licenses
53	35	112	Amends	Sec. 99B.2(4)	Inspections and Appeals Bingo Licenses
54	20	113	Amends	Sec. 237.18(3) & (4)	Foster Care Review Board Complaints
54	28	114	Amends	Sec. 237.20(1)	Foster Care Review Board Case Review

1 1 DIVISION I  
1 2 ADMINISTRATION AND REGULATION APPROPRIATIONS

1 3 Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES.  
1 4 1. There is appropriated from the general fund of the  
1 5 state to the department of administrative services for the  
1 6 fiscal year beginning July 1, 2009, and ending June 30, 2010,  
1 7 the following amounts, or so much thereof as is necessary, to  
1 8 be used for the purposes designated:  
1 9 a. For salaries, support, maintenance, and miscellaneous  
1 10 purposes, and for not more than the following full-time  
1 11 equivalent positions:  
1 12 ..... \$ 5,349,232  
1 13 ..... FTEs 112.28

General Fund appropriation to the Department of Administrative Services (DAS).

DETAIL: This is a decrease of \$967,673 and an increase of 0.20 FTE position compared to the estimated net FY 2009 appropriation. The decrease includes:

- \$114,000 for the transfer of a position to the Rebuild Iowa Office.
- \$853,673 for a general reduction associated with balancing the General Fund budget.

NOTE: Section 61 of HF 820 (FY 2010 Federal Funds Appropriations Act) appropriates \$100,000 from federal stimulus funds to the Department of Administrative Services.

1 14 b. For the payment of utility costs and for not more than  
1 15 the following full-time equivalent positions:  
1 16 ..... \$ 3,517,432  
1 17 ..... FTEs 1.00

General Fund appropriation to the DAS for utility costs.

DETAIL: This is a decrease of \$125,765 compared to the estimated net FY 2009 appropriation and no change in FTE positions. The funds are used to pay energy costs for the Capitol Complex and the crime lab in Ankeny.

1 18 Notwithstanding section 8.33, any excess funds appropriated  
1 19 for utility costs in this lettered paragraph shall not revert  
1 20 to the general fund of the state at the end of the fiscal year  
1 21 but shall remain available for expenditure for the purposes of  
1 22 this lettered paragraph during the succeeding fiscal year.

CODE: Requires any unobligated funds appropriated for FY 2010 utility costs to carry forward to FY 2011.

1 23 It is the intent of the general assembly that the  
1 24 department shall reduce utility costs through energy  
1 25 conservation practices. The goal of the general assembly is  
1 26 to reduce energy use by 10 percent to save money, conserve  
1 27 energy resources, and reduce pollution.

Specifies the intent of the General Assembly that the Department reduce utility costs by 10.00% through energy conservation practices.

1 28 c. It is the intent of the general assembly that the state  
1 29 maintain a cost effective, reliable motor vehicle fleet for  
1 30 state operations. It is the goal of the general assembly that  
1 31 the department shall take all available steps to reduce motor  
1 32 vehicle fleet operation and purchasing costs by 7.5 percent.  
1 33 It is also the intent of the general assembly that replacement  
1 34 motor vehicles purchased by the department shall include only  
1 35 those options necessary for the intended purpose of the  
2 1 vehicles purchased unless inclusion of the options are part of  
2 2 the lowest responsible cost package available for the vehicles  
2 3 purchased. In addition, to maximize the cost effectiveness of  
2 4 the motor vehicle fleet given the current fiscal environment,  
2 5 it is also the intent of the general assembly that the  
2 6 department implement a policy, effective July 1, 2009, to  
2 7 extend the time that vehicles in the department's motor  
2 8 vehicle fleet are retained and used by the state with the  
2 9 purpose of reducing the cost of fleet operations for state  
2 10 agencies. The policy change shall incorporate an increase in  
2 11 the overall length of time that a vehicle is retained in  
2 12 addition to an increase in the number of miles that a vehicle  
2 13 is driven prior to being replaced. The department shall  
2 14 submit a report to the general assembly by January 1, 2010,  
2 15 concerning the department's efforts to reduce state motor  
2 16 vehicle fleet costs, including data on the extent of savings  
2 17 realized.

2 18 2. Members of the general assembly serving as members of  
2 19 the deferred compensation advisory board shall be entitled to  
2 20 receive per diem and necessary travel and actual expenses  
2 21 pursuant to section 2.10, subsection 5, while carrying out  
2 22 their official duties as members of the board.

2 23 3. Any funds and premiums collected by the department for  
2 24 workers' compensation shall be segregated into a separate  
2 25 workers' compensation fund in the state treasury to be used  
2 26 for payment of state employees' workers' compensation claims

Specifies that it is the intent of the General Assembly for the DAS to take available steps to reduce the motor vehicle fleet operation and purchasing costs by 7.5%. Also specifies the intent of the General Assembly that the DAS implement a policy to extend the time that vehicles are retained by the State. Requires the Department to submit a report to the General Assembly by January 1, 2010, that addresses the Department's efforts associated with reducing fleet costs.

VETOED: The Governor vetoed this provision and stated that maintenance of vehicles beyond their useful lifetime may actually increase fleet costs and that this language infringes on the authority of the Executive Branch. The Governor further stated that the Department is implementing new standards to reduce fleet operational and purchasing costs.

Authorizes members of the General Assembly to receive per diem, travel expenses, and actual expenses while performing official duties as members of the Deferred Compensation Advisory Board.

CODE: Requires excess funds from the Workers' Compensation Fund at the end of the fiscal year to carry forward for payment of claims and administrative costs.

2 27 and administrative costs. Notwithstanding section 8.33,  
 2 28 unencumbered or unobligated moneys remaining in this workers'  
 2 29 compensation fund at the end of the fiscal year shall not  
 2 30 revert but shall be available for expenditure for purposes of  
 2 31 the fund for subsequent fiscal years.

Specifies that any funds received by the DAS for workers' compensation purposes be used for the payment of workers' compensation claims and administrative costs.

2 32 4. For the fiscal year beginning July 1, 2009, and ending  
 2 33 June 30, 2010, the rate set for a service provided solely by  
 2 34 the department of administrative services as determined  
 2 35 pursuant to section 8.6, subsection 16, paragraph "c", shall  
 3 1 not exceed the rate set for that service as of January 1,  
 3 2 2009.

Prohibits rates for services provided solely by the DAS from exceeding the rates set for services as of January 1, 2009.

DETAIL: The rates for services are established by the Customer Council. The Council is comprised of representatives from Executive Branch agencies of various sizes.

VETOED: The Governor vetoed this provision and stated that some utility functions are artificially low due to use of other funds to cover expenses. These funds are now depleted and keeping rates at the current level will harm the DAS capacity to deliver other services.

3 3 Sec. 2. REVOLVING FUNDS. There is appropriated to the  
 3 4 department of administrative services for the fiscal year  
 3 5 beginning July 1, 2009, and ending June 30, 2010, from the  
 3 6 revolving funds designated in chapter 8A and from internal  
 3 7 service funds created by the department such amounts as the  
 3 8 department deems necessary for the operation of the department  
 3 9 consistent with the requirements of chapter 8A.

Permits the DAS to use resources in revolving funds and internal service funds created by the Department for operational purposes.

3 10 Sec. 3. FUNDING FOR IOWACCESS.  
 3 11 1. Notwithstanding section 321A.3, subsection 1, for the  
 3 12 fiscal year beginning July 1, 2009, and ending June 30, 2010,  
 3 13 the first \$1,000,000 collected and transferred by the  
 3 14 department of transportation to the treasurer of state with  
 3 15 respect to the fees for transactions involving the furnishing  
 3 16 of a certified abstract of a vehicle operating record under  
 3 17 section 321A.3, subsection 1, shall be transferred to the  
 3 18 lowAccess revolving fund established by section 8A.224 and  
 3 19 administered by the department of administrative services for

CODE: Requires the first \$1,000,000 collected by the Department of Transportation from the sale of certified driver's records to be allocated to the lowAccess Revolving Fund for developing, implementing, maintaining, and expanding electronic access to government records.

3 20 the purposes of developing, implementing, maintaining, and  
 3 21 expanding electronic access to government records as provided  
 3 22 by law.

3 23 2. All fees collected with respect to transactions  
 3 24 involving lowAccess shall be deposited in the lowAccess  
 3 25 revolving fund and shall be used only for the support of  
 3 26 lowAccess projects.

Requires all fees related to transactions involving lowAccess to be deposited in the lowAccess Revolving Fund and used for lowAccess projects.

3 27 Sec. 4. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION  
 3 28 CHARGE. For the fiscal year beginning July 1, 2009, and  
 3 29 ending June 30, 2010, the monthly per contract administrative  
 3 30 charge which may be assessed by the department of  
 3 31 administrative services shall be \$2 per contract on all health  
 3 32 insurance plans administered by the department.

Permits the DAS to charge \$2.00 per month for each health insurance contract administered by the Department for FY 2010.

DETAIL: The funds are deposited in the Health Insurance Administration Fund and used by the Department for administrative costs of the health insurance program. Section 34 of this Act extends the repeal date of the Health Insurance Administration Fund from July 1, 2009, to July 1, 2010.

3 33 Sec. 5. AUDITOR OF STATE.

General Fund appropriation to the Auditor of State.

3 34 1. There is appropriated from the general fund of the  
 3 35 state to the office of the auditor of state for the fiscal  
 4 1 year beginning July 1, 2009, and ending June 30, 2010, the  
 4 2 following amount, or so much thereof as is necessary, to be  
 4 3 used for the purposes designated:

DETAIL: This is a decrease of \$328,223 and no change in FTE positions compared to the estimated net FY 2009 appropriation.

4 4 For salaries, support, maintenance, and miscellaneous  
 4 5 purposes, and for not more than the following full-time  
 4 6 equivalent positions:

4 7 ..... \$ 905,468

4 8 ..... FTEs 103.00

4 9 The auditor of state may retain additional full-time  
 4 10 equivalent positions as is reasonable and necessary to perform  
 4 11 governmental subdivision audits which are reimbursable  
 4 12 pursuant to section 11.20 or 11.21, to perform audits which  
 4 13 are requested by and reimbursable from the federal government,

Permits the State Auditor to add staff and expend additional funds to conduct reimbursable audits. Requires the Office to notify the Department of Management (DOM), the Legislative Fiscal Committee, and the Legislative Services Agency (LSA) when additional positions are retained.

4 14 and to perform work requested by and reimbursable from  
4 15 departments or agencies pursuant to section 11.5A or 11.5B.  
4 16 The auditor of state shall notify the department of  
4 17 management, the legislative fiscal committee, and the  
4 18 legislative services agency of the additional full-time  
4 19 equivalent positions retained.

4 20 2. As a condition of receiving funding appropriated in  
4 21 this section, for the fiscal year beginning July 1, 2009, and  
4 22 ending June 30, 2010, the auditor shall comply with all of the  
4 23 following requirements:  
4 24 a. The rates and fees set by the auditor to conduct audits  
4 25 for the fiscal year shall not exceed the rates and fees set  
4 26 for conducting audits as of January 1, 2009.  
4 27 b. The auditor shall not seek reimbursement from  
4 28 departments and agencies specified in section 11.5B in an  
4 29 amount that exceeds the total amount reimbursed to the auditor  
4 30 by those departments and agencies for the fiscal year  
4 31 beginning July 1, 2008.  
4 32 c. The auditor shall not seek reimbursement from  
4 33 governmental subdivisions for audits which are reimbursable  
4 34 pursuant to section 11.20 or 11.21 in an amount that exceeds  
4 35 the total amount reimbursed to the auditor by governmental  
5 1 subdivisions for the fiscal year beginning July 1, 2008.

5 2 d. Notwithstanding any provision of this subsection to the  
5 3 contrary, the auditor may seek reimbursement from departments  
5 4 and agencies specified in section 11.5B, and governmental  
5 5 subdivisions, in an amount that exceeds the total amount  
5 6 reimbursed to the auditor by those departments, agencies, or  
5 7 governmental subdivisions for the fiscal year beginning July  
5 8 1, 2008, for audits required by the federal government and  
5 9 reimbursable from federal funds.  
5 10 e. For purposes of this subsection, "total amount  
5 11 reimbursed" does not include amounts reimbursed for audits  
5 12 required and reimbursed from federal funds.

Prohibits the Auditor from increasing rates and fees for FY 2010 above the levels established as of January 1, 2009. Prohibits the Auditor from receiving reimbursements from State agencies and governmental subdivisions that exceed the total amount reimbursed to the Auditor during FY 2009.

CODE: Permits the Auditor of State to charge State agencies and other governmental subdivisions for federal reimbursement of costs for conducting audits that are required by the federal government.

5 13 Sec. 6. AUDITOR OF STATE == DISCRETIONARY AUDITS. For the  
 5 14 fiscal period beginning April 1, 2009, and ending June 30,  
 5 15 2010, the auditor of state, in addition to any other  
 5 16 requirements provided in this Act, shall not seek  
 5 17 reimbursement from departments and agencies specified in  
 5 18 section 11.5B for any discretionary audit that the auditor  
 5 19 initiates or has initiated on the auditor's own authority and  
 5 20 which is not specifically required by statute.  
 5 21 Notwithstanding the prohibition contained in this section, the  
 5 22 auditor shall perform all necessary audit duties related to  
 5 23 any financial report required to be compiled by a department  
 5 24 or agency that the auditor has previously audited in the  
 5 25 normal course of the auditor's duties, whether or not such  
 5 26 financial report is required by law. Any amounts reimbursed  
 5 27 in association with such audit shall be limited to the amounts  
 5 28 reimbursed for the audit of such report during the previous  
 5 29 reporting period.

Prohibits the Auditor of State from billing State agencies for discretionary audits that are not statutorily required and that are initiated by the Auditor. Requires the Auditor to perform all audits that the Auditor has previously audited in the normal course of duties.

5 30 Sec. 7. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There  
 5 31 is appropriated from the general fund of the state to the Iowa  
 5 32 ethics and campaign disclosure board for the fiscal year  
 5 33 beginning July 1, 2009, and ending June 30, 2010, the  
 5 34 following amount, or so much thereof as is necessary, for the  
 5 35 purposes designated:

General Fund appropriation to the Iowa Ethics and Campaign Disclosure Board.

DETAIL: This is a decrease of \$14,256 and no change in FTE positions compared to the estimated net FY 2009 appropriation.

6 1 For salaries, support, maintenance, and miscellaneous  
 6 2 purposes, and for not more than the following full-time  
 6 3 equivalent positions:

6 4 ..... \$ 523,000

6 5 ..... FTEs 6.00

6 6 Sec. 8. DEPARTMENT OF COMMERCE.

6 7 1. There is appropriated from the general fund of the  
 6 8 state to the department of commerce for the fiscal year  
 6 9 beginning July 1, 2009, and ending June 30, 2010, the  
 6 10 following amounts, or so much thereof as is necessary, for the  
 6 11 purposes designated:

6 12	a. ALCOHOLIC BEVERAGES DIVISION	General Fund appropriation to the Alcoholic Beverages Division of the
6 13	For salaries, support, maintenance, and miscellaneous	Department of Commerce.
6 14	purposes, and for not more than the following full-time	
6 15	equivalent positions:	DETAIL: This is a decrease of \$73,198 and no change in FTE
6 16	..... \$ 2,007,160	positions compared to the estimated net FY 2009 appropriation.
6 17	..... FTEs 37.00	
6 18	b. PROFESSIONAL LICENSING AND REGULATION BUREAU	General Fund appropriation to the Professional Licensing and
6 19	For salaries, support, maintenance, and miscellaneous	Regulation Bureau of the Banking Division of the Department of
6 20	purposes, and for not more than the following full-time	Commerce.
6 21	equivalent positions:	
6 22	..... \$ 900,553	DETAIL: This is a decrease of \$32,968 and no change in FTE
6 23	..... FTEs 16.00	positions compared to the estimated net FY 2009 appropriation.
6 24	c. INSURANCE DIVISION == SENIOR HEALTH INSURANCE	General Fund appropriation to the Senior Health Insurance
6 25	INFORMATION PROGRAM	Information Program of the Insurance Division of the Department of
6 26	For the use of the senior health insurance information	Commerce.
6 27	program:	
6 28	..... \$ 52,253	DETAIL: This is a decrease of \$6,847 compared to the estimated net
6 29	2. There is appropriated from the department of commerce	FY 2009 appropriation.
6 30	revolving fund created in section 546.12, if enacted by this	
6 31	Act, to the department of commerce for the fiscal year	Provides appropriations from the Department of Commerce Revolving
6 32	beginning July 1, 2009, and ending June 30, 2010, the	Fund.
6 33	following amounts, or so much thereof as is necessary, for the	DETAIL: Section 108 of this Act creates the Department of
6 34	purposes designated:	Commerce Revolving Fund.
6 35	a. BANKING DIVISION	Department of Commerce Revolving Fund appropriation to the
7 1	For salaries, support, maintenance, and miscellaneous	Banking Division of the Department of Commerce.
7 2	purposes, and for not more than the following full-time	
7 3	equivalent positions:	DETAIL: Maintains the current level of funding. In FY 2009, the
7 4	..... \$ 8,662,670	Division received an appropriation from the General Fund.
7 5	..... FTEs 73.00	FISCAL IMPACT: The cost of the Banking Division's activities are



		reimbursed from fees charged to the banking industry and will be deposited in the Department of Commerce Revolving Fund. This change will reduce General Fund receipts and expenditures by \$8,662,670.
7 6	b. CREDIT UNION DIVISION	
7 7	For salaries, support, maintenance, and miscellaneous	Department of Commerce Revolving Fund appropriation to the Credit Union Division of the Department of Commerce.
7 8	purposes, and for not more than the following full=time	
7 9	equivalent positions:	DETAIL: Maintains the current level of funding. In FY 2009, the Division received an appropriation from the General Fund.
7 10	..... \$ 1,727,995	
7 11	..... FTEs 19.00	FISCAL IMPACT: The cost of the Credit Union Division's activities are reimbursed from fees charged to the credit union industry and will be deposited in the Department of Commerce Revolving Fund. This change will reduce General Fund receipts and expenditures by \$1,727,995.
7 12	c. INSURANCE DIVISION	
7 13	(1) For salaries, support, maintenance, and miscellaneous	Department of Commerce Revolving Fund appropriation to the Insurance Division of the Department of Commerce.
7 14	purposes, and for not more than the following full=time	
7 15	equivalent positions:	DETAIL: Maintains the current level of funding. In FY 2009, the Division received an appropriation from the General Fund.
7 16	..... \$ 4,881,216	
7 17	..... FTEs 102.00	FISCAL IMPACT: The cost of the Insurance Division's activities are reimbursed from fees charged to the insurance industry and will be deposited in the Department of Commerce Revolving Fund. This change will reduce General Fund receipts and expenditures by \$4,881,216.
7 18	(2) The insurance division may reallocate authorized	
7 19	full=time equivalent positions as necessary to respond to	Permits the Insurance Division to reallocate FTE positions as necessary to meet national accreditation standards. Also, permits examination expenditures of the Division to exceed revenues if the expenditures are reimbursable. The Division is required to notify the DOM, the LSA, and the Legislative Fiscal Committee of the need for examination expenses to exceed revenues and requires justification and an estimate of the excess expenditures.
7 20	accreditation recommendations or requirements. The insurance	
7 21	division expenditures for examination purposes may exceed the	
7 22	projected receipts, refunds, and reimbursements, estimated	
7 23	pursuant to section 505.7, subsection 7, including the	
7 24	expenditures for retention of additional personnel, if the	

7 25 expenditures are fully reimbursable and the division first  
 7 26 does both of the following:  
 7 27 (a) Notifies the department of management, the legislative  
 7 28 services agency, and the legislative fiscal committee of the  
 7 29 need for the expenditures.  
 7 30 (b) Files with each of the entities named in subparagraph  
 7 31 division (a) the legislative and regulatory justification for  
 7 32 the expenditures, along with an estimate of the expenditures.

7 33 (3) The insurance division shall allocate \$10,000 from the  
 7 34 examination receipts for the payment of its fees to the  
 7 35 national conference of insurance legislators.

Allocates \$10,000 from examination receipts for dues to the National Conference of Insurance Legislators (NCOIL).

8 1 d. UTILITIES DIVISION

8 2 (1) For salaries, support, maintenance, and miscellaneous  
 8 3 purposes, and for not more than the following full-time  
 8 4 equivalent positions:  
 8 5 ..... \$ 7,795,527  
 8 6 ..... FTEs 79.00

Department of Commerce Revolving Fund appropriation to the Utilities Division of the Department of Commerce.

DETAIL: Maintains the current level of funding. In FY 2009, the Division received an appropriation from the General Fund.

FISCAL IMPACT: The cost of the Utilities Division's activities are reimbursed from fees charged to the utility industry and will be deposited in the Department of Commerce Revolving Fund. This change will reduce General Fund receipts and expenditures by \$7,795,527.

8 7 (2) The utilities division may expend additional funds,  
 8 8 including funds for additional personnel, if those additional  
 8 9 expenditures are actual expenses which exceed the funds  
 8 10 budgeted for utility regulation and the expenditures are fully  
 8 11 reimbursable. Before the division expends or encumbers an  
 8 12 amount in excess of the funds budgeted for regulation, the  
 8 13 division shall first do both of the following:  
 8 14 (a) Notify the department of management, the legislative  
 8 15 services agency, and the legislative fiscal committee of the  
 8 16 need for the expenditures.  
 8 17 (b) File with each of the entities named in subparagraph

Permits the Utilities Division to expend additional funds for utility company examinations, including expenditures for additional personnel, if the funds are reimbursable. The Division must notify the DOM, the LSA, and the Legislative Fiscal Committee of the expenditure or encumbrance of funds in excess of the amount budgeted for utility regulation, and provide justification and an estimate of the excess expenditures.

8 18 division (a) the legislative and regulatory justification for  
8 19 the expenditures, along with an estimate of the expenditures.

8 20 (3) Notwithstanding sections 8.33 and 476.10 or any other  
8 21 provision to the contrary, any balance of the appropriation  
8 22 made in this paragraph for the utilities division or any other  
8 23 operational appropriation made for the fiscal year beginning  
8 24 July 1, 2009, and ending June 30, 2010, that remains unused,  
8 25 unencumbered, or unobligated at the close of the fiscal year  
8 26 shall not revert but shall remain available to be used for  
8 27 purposes of the energy-efficient building project authorized  
8 28 under section 476.10B, or for relocation costs in succeeding  
8 29 fiscal years.

CODE: Requires any unobligated funds remaining from the FY 2010 appropriation to the Utilities Division to carry forward to FY 2011 and be used for the energy-efficient building project or relocation costs.

8 30 3. CHARGES == TRAVEL

8 31 Each division and the office of consumer advocate shall  
8 32 include in its charges assessed or revenues generated an  
8 33 amount sufficient to cover the amount stated in its  
8 34 appropriation and any state-assessed indirect costs determined  
8 35 by the department of administrative services. The director of  
9 1 the department of commerce shall review on a quarterly basis  
9 2 all out-of-state travel for the previous quarter for officers  
9 3 and employees of each division of the department if the travel  
9 4 is not already authorized by the executive council.

Requires all divisions of the Department of Commerce and the Office of Consumer Advocate to include in billings an amount sufficient to cover the Department of Commerce Revolving Fund appropriations and any State-assessed indirect costs.

9 5 Sec. 9. DEPARTMENT OF COMMERCE == PROFESSIONAL LICENSING  
9 6 AND REGULATION BUREAU. There is appropriated from the housing  
9 7 trust fund of the Iowa finance authority created in section  
9 8 16.181, to the bureau of professional licensing and regulation  
9 9 of the banking division of the department of commerce for the  
9 10 fiscal year beginning July 1, 2009, and ending June 30, 2010,  
9 11 the following amount, or so much thereof as is necessary, to  
9 12 be used for the purposes designated:  
9 13 For salaries, support, maintenance, and miscellaneous  
9 14 purposes:  
9 15 ..... \$ 62,317

Housing Trust Fund appropriation to the Professional Licensing and Regulation Bureau.

DETAIL: Maintains the current level of funding. The funds are used by the Department to conduct audits of real estate broker trust funds.

9 16 Sec. 10. GOVERNOR AND LIEUTENANT GOVERNOR. There is  
 9 17 appropriated from the general fund of the state to the offices  
 9 18 of the governor and the lieutenant governor for the fiscal  
 9 19 year beginning July 1, 2009, and ending June 30, 2010, the  
 9 20 following amounts, or so much thereof as is necessary, to be  
 9 21 used for the purposes designated:

9 22 1. GENERAL OFFICE

9 23 For salaries, support, maintenance, and miscellaneous  
 9 24 purposes for the general office of the governor and the  
 9 25 general office of the lieutenant governor, and for not more  
 9 26 than the following full-time equivalent positions:  
 9 27 ..... \$ 1,893,857  
 9 28 ..... FTEs 25.25

General Fund appropriation to the Office of the Governor and  
 Lieutenant Governor.

DETAIL: This is a decrease of \$641,125 and 1.00 FTE position  
 compared to the estimated net FY 2009 appropriation. This includes:

- A decrease of \$93,000 and 1.00 FTE. This position is being transferred to the Rebuild Iowa Office and will be funded primarily with federal funds.
- A decrease of \$548,125 for a general budget reduction.

NOTE: Section 89 of SF 478 (FY 2010 Standing Appropriations Act) appropriates \$400,000 from the General Fund to the Governor's Office to offset a portion of the budget reduction in this Act.

9 29 2. TERRACE HILL QUARTERS

9 30 For salaries, support, maintenance, and miscellaneous  
 9 31 purposes for the governor's quarters at Terrace Hill, and for  
 9 32 not more than the following full-time equivalent positions:  
 9 33 ..... \$ 438,101  
 9 34 ..... FTEs 10.00

General Fund appropriation for support of the Terrace Hill Quarters.

DETAIL: This is a decrease of \$77,266 and no change in FTE positions compared to the estimated net FY 2009 appropriation.

9 35 3. ADMINISTRATIVE RULES COORDINATOR

10 1 For salaries, support, maintenance, and miscellaneous  
 10 2 purposes for the office of administrative rules coordinator,  
 10 3 and for not more than the following full-time equivalent  
 10 4 positions:  
 10 5 ..... \$ 141,297  
 10 6 ..... FTEs 3.00

General Fund appropriation for the Administrative Rules Coordinator.

DETAIL: This is a decrease of \$34,255 and no change in FTE positions compared to the estimated net FY 2009 appropriation.

10 7 4. NATIONAL GOVERNORS ASSOCIATION  
 10 8 For payment of Iowa's membership in the national governors  
 10 9 association:  
 10 10 ..... \$ 70,783

General Fund appropriation for the payment of dues to the National Governors Association.

DETAIL: This is a decrease of \$9,817 compared to the estimated net FY 2009 appropriation.

10 11 5. STATE=FEDERAL RELATIONS  
 10 12 For salaries, support, maintenance, and miscellaneous  
 10 13 purposes for the office for state=federal relations, and for  
 10 14 not more than the following full=time equivalent positions:  
 10 15 ..... \$ 46,620  
 10 16 ..... FTEs 1.00

General Fund appropriation to the State-Federal Relations Office.

DETAIL: This is a decrease of \$94,615 and 1.00 FTE position compared to the estimated net FY 2009 appropriation. This includes:

- A decrease of \$70,000 and 1.00 FTE position. This position is being transferred to the Rebuild Iowa Office and will be funded primarily with federal funds.
- A decrease of \$24,615 for a general budget reduction.

10 17 Sec. 11. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. There  
 10 18 is appropriated from the general fund of the state to the  
 10 19 governor's office of drug control policy for the fiscal year  
 10 20 beginning July 1, 2009, and ending June 30, 2010, the  
 10 21 following amount, or so much thereof as is necessary, to be  
 10 22 used for the purposes designated:  
 10 23 For salaries, support, maintenance, and miscellaneous  
 10 24 purposes, including statewide coordination of the drug abuse  
 10 25 resistance education (D.A.R.E.) programs or similar programs,  
 10 26 and for not more than the following full=time equivalent  
 10 27 positions:  
 10 28 ..... \$ 348,368  
 10 29 ..... FTEs 8.00

General Fund appropriation to the Office of Drug Control Policy.

DETAIL: This is a decrease of \$9,498 and no change in FTE positions compared to the estimated net FY 2009 appropriation.

10 30 Sec. 12. DEPARTMENT OF HUMAN RIGHTS. There is  
 10 31 appropriated from the general fund of the state to the  
 10 32 department of human rights for the fiscal year beginning July  
 10 33 1, 2009, and ending June 30, 2010, the following amounts, or  
 10 34 so much thereof as is necessary, to be used for the purposes  
 10 35 designated:

11 1	1. CENTRAL ADMINISTRATION DIVISION	General Fund appropriation to the Central Administration Division of the Department of Human Rights.
11 2	For salaries, support, maintenance, and miscellaneous	
11 3	purposes, and for not more than the following full=time	
11 4	equivalent positions:	DETAIL: This is a decrease of \$52,310 and no change in FTE positions compared to the estimated net FY 2009 appropriation.
11 5	..... \$ 306,777	
11 6	..... FTEs 7.00	
11 7	2. DEAF SERVICES DIVISION	General Fund appropriation to the Deaf Services Division of the Department of Human Rights.
11 8	For salaries, support, maintenance, and miscellaneous	
11 9	purposes, and for not more than the following full=time	
11 10	equivalent positions:	DETAIL: This is a decrease of \$46,067 and no change in FTE positions compared to the estimated net FY 2009 appropriation.
11 11	..... \$ 378,792	
11 12	..... FTEs 6.00	
11 13	3. STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER HERITAGE	General Fund appropriation to the Status of Iowans of Asian and Pacific Islander Heritage Division of the Department of Human Rights.
11 14	DIVISION	
11 15	For salaries, support, maintenance, and miscellaneous	
11 16	purposes, and for not more than the following full=time	
11 17	equivalent positions:	DETAIL: This is a decrease of \$16,228 and no change in FTE positions compared to the estimated net FY 2009 appropriation.
11 18	..... \$ 133,430	
11 19	..... FTEs 1.00	
11 20	4. PERSONS WITH DISABILITIES DIVISION	General Fund appropriation to the Persons with Disabilities Division of the Department of Human Rights.
11 21	For salaries, support, maintenance, and miscellaneous	
11 22	purposes, and for not more than the following full=time	
11 23	equivalent positions:	DETAIL: This is a decrease of \$25,324 and no change in FTE positions compared to the estimated net FY 2009 appropriation.
11 24	..... \$ 208,231	
11 25	..... FTEs 3.20	
11 26	5. LATINO AFFAIRS DIVISION	General Fund appropriation to the Status of Latino Affairs Division of the Department of Human Rights.
11 27	For salaries, support, maintenance, and miscellaneous	
11 28	purposes, and for not more than the following full=time	
11 29	equivalent positions:	DETAIL: This is a decrease of \$21,659 and no change in FTE positions compared to the estimated net FY 2009 appropriation.
11 30	..... \$ 178,100	
11 31	..... FTEs 3.00	

11 32	6. STATUS OF WOMEN DIVISION	General Fund appropriation to the Status of Women Division of the
11 33	For salaries, support, maintenance, and miscellaneous	Department of Human Rights.
11 34	purposes, including the domestic violence and sexual	
11 35	assault-related grants, and for not more than the following	DETAIL: This is a decrease of \$38,416 and an increase of 1.00 FTE
12 1	full-time equivalent positions:	position compared to the estimated net FY 2009 appropriation.
12 2	..... \$ 315,883	
12 3	..... FTEs 4.00	
12 4	7. STATUS OF AFRICAN=AMERICANS DIVISION	General Fund appropriation to the Status of African Americans
12 5	For salaries, support, maintenance, and miscellaneous	Division of the Department of Human Rights.
12 6	purposes, and for not more than the following full-time	
12 7	equivalent positions:	DETAIL: This is a decrease of \$20,284 and no change in FTE
12 8	..... \$ 166,796	positions compared to the estimated net FY 2009 appropriation.
12 9	..... FTEs 2.00	
12 10	8. NATIVE AMERICAN AFFAIRS DIVISION	General Fund appropriation to the Native American Affairs Division of
12 11	For operation costs and travel reimbursement for members of	the Department of Human Rights.
12 12	the commission on Native American affairs:	
12 13	..... \$ 5,352	DETAIL: This is a decrease of \$558 compared to the estimated net
		FY 2009 appropriation.
12 14	9. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION	General Fund appropriation to the Criminal and Juvenile Justice
12 15	For salaries, support, maintenance, and miscellaneous	Planning Division of the Department of Human Rights.
12 16	purposes, and for not more than the following full-time	
12 17	equivalent positions:	DETAIL: This is a decrease of \$173,604 and no change in FTE
12 18	..... \$ 1,427,472	positions compared to the estimated net FY 2009 appropriation.
12 19	..... FTEs 11.18	
12 20	The criminal and juvenile justice planning advisory council	Requires the Criminal and Juvenile Justice Planning Advisory Council
12 21	and the juvenile justice advisory council shall coordinate	and the Juvenile Justice Advisory Council to coordinate efforts in
12 22	their efforts in carrying out their respective duties relative	performing juvenile justice duties.
12 23	to juvenile justice.	
12 24	10. SHARED STAFF	Requires the divisions within the Department of Human Rights to

12 25 The divisions of the department of human rights shall  
 12 26 retain their individual administrators, but shall share staff  
 12 27 to the greatest extent possible.

share staff.

12 28 11. DEPARTMENT STUDY == REPORT

12 29 The department of human rights shall conduct a study to  
 12 30 examine the organization and duties of the department and  
 12 31 whether reorganizing the structure of the department could  
 12 32 provide enhanced services to lowans in a more efficient  
 12 33 manner. The department shall submit a written report to the  
 12 34 general assembly by January 1, 2010, concerning the results of  
 12 35 the study, including its findings and recommendations.

Requires the Department of Human Rights to conduct a study regarding the reorganization of the Department and submit a report to the General Assembly by January 1, 2010.

13 1 Sec. 13. DEPARTMENT OF INSPECTIONS AND APPEALS. There is  
 13 2 appropriated from the general fund of the state to the  
 13 3 department of inspections and appeals for the fiscal year  
 13 4 beginning July 1, 2009, and ending June 30, 2010, the  
 13 5 following amounts, or so much thereof as is necessary, for the  
 13 6 purposes designated:

13 7 1. ADMINISTRATION DIVISION

13 8 For salaries, support, maintenance, and miscellaneous  
 13 9 purposes, and for not more than the following full-time  
 13 10 equivalent positions:

13 11 ..... \$ 2,005,011  
 13 12 ..... FTEs 39.25

General Fund appropriation to the Administration Division of the Department of Inspections and Appeals (DIA).

DETAIL: This is a decrease of \$243,844 and no change in FTE positions compared to the estimated net FY 2009 appropriation.

13 13 As a condition of receiving funding appropriated in this  
 13 14 subsection, the department shall maintain the targeted small  
 13 15 business certification employee position within the division.

Requires the Department to provide continued funding for the Targeted Small Business (TSB) Certification employee position.

13 16 2. ADMINISTRATIVE HEARINGS DIVISION

13 17 For salaries, support, maintenance, and miscellaneous  
 13 18 purposes, and for not more than the following full-time

General Fund appropriation to the Administrative Hearings Division of the DIA.



13 19	equivalent positions:	DETAIL: This is a decrease of \$82,373 and no change in FTE positions compared to the estimated net FY 2009 appropriation.
13 20	..... \$ 677,317	
13 21	..... FTEs 24.00	
13 22	3. INVESTIGATIONS DIVISION	General Fund appropriation to the Investigations Division of the DIA.
13 23	For salaries, support, maintenance, and miscellaneous	
13 24	purposes, and for not more than the following full=time	DETAIL: This is a decrease of \$176,704 and an increase of 1.00 FTE position compared to the estimated net FY 2009 appropriation.
13 25	equivalent positions:	
13 26	..... \$ 1,452,962	
13 27	..... FTEs 50.00	
13 28	4. HEALTH FACILITIES DIVISION	General Fund appropriation to the Health Facilities Division of the DIA.
13 29	a. For salaries, support, maintenance, and miscellaneous	
13 30	purposes, and for not more than the following full=time	DETAIL: This is a decrease of \$271,859 and no change in FTE positions compared to the estimated net FY 2009 appropriation.
13 31	equivalent positions:	
13 32	..... \$ 2,235,383	
13 33	..... FTEs 140.75	NOTE: Section 61 of HF 820 (FY 2010 Federal Funds Appropriations Act) appropriates \$400,000 from federal stimulus funds to the Department for health facility and dependent adult-related investigations.
13 34	b. The department shall, in coordination with the health	Requires the Department to provide information to the public via the internet relating to inspections, operating costs, and FTE positions.
13 35	facilities division, make the following information available	
14 1	to the public in a timely manner, to include providing the	
14 2	information on the department's internet website, during the	VETOED: The Governor vetoed this paragraph and stated that some of this data is collected during the survey and certification process and is maintained and controlled by the federal government. The Governor also stated that any additional information would add very little benefit to the public and would be expensive to assemble and maintain.
14 3	fiscal year beginning July 1, 2009, and ending June 30, 2010:	
14 4	(1) The number of inspections conducted by the division	
14 5	annually by type of service provider and type of inspection.	
14 6	(2) The total annual operations budget for the division,	
14 7	including general fund appropriations and federal contract	
14 8	dollars received by type of service provider inspected.	
14 9	(3) The total number of full=time equivalent positions in	
14 10	the division, to include the number of full=time equivalent	
14 11	positions serving in a supervisory capacity, and serving as	
14 12	surveyors, inspectors, or monitors in the field by type of	
14 13	service provider inspected.	

14 14 (4) Identification of state and federal survey trends,  
 14 15 cited regulations, the scope and severity of deficiencies  
 14 16 identified, and federal and state fines assessed and collected  
 14 17 concerning nursing and assisted living facilities and  
 14 18 programs.

14 19 c. It is the intent of the general assembly that the  
 14 20 department and division continuously solicit input from  
 14 21 facilities regulated by the division to assess and improve the  
 14 22 division's level of collaboration and to identify new  
 14 23 opportunities for cooperation.

Specifies the intent of the General Assembly that the Department seek input from facilities regulated by the Health Facilities Division to assess and improve collaboration and cooperation.

VETOED: The Governor vetoed this language and stated that the Department currently works with the facilities regulated by the Department in a manner that is consistent with regulatory duties as prescribed by Iowa law. The Governor further stated that he expects all parties to work together on a regular basis in an honest and straightforward manner.

14 24 5. EMPLOYMENT APPEAL BOARD  
 14 25 For salaries, support, maintenance, and miscellaneous  
 14 26 purposes, and for not more than the following full-time  
 14 27 equivalent positions:  
 14 28 ..... \$ 51,465  
 14 29 ..... FTEs 15.00

General Fund appropriation to the Employment Appeal Board.

DETAIL: This is a decrease of \$6,259 and no change in FTE positions compared to the estimated net FY 2009 appropriation.

14 30 The employment appeal board shall be reimbursed by the  
 14 31 labor services division of the department of workforce  
 14 32 development for all costs associated with hearings conducted  
 14 33 under chapter 91C, related to contractor registration. The  
 14 34 board may expend, in addition to the amount appropriated under  
 14 35 this subsection, additional amounts as are directly billable  
 15 1 to the labor services division under this subsection and to  
 15 2 retain the additional full-time equivalent positions as needed  
 15 3 to conduct hearings required pursuant to chapter 91C.

Permits the Board to expend funds, as necessary, for hearings related to contractor registration. The costs for these hearings are required to be reimbursed by the Labor Services Division of the Department of Workforce Development.

15 4 6. CHILD ADVOCACY BOARD

General Fund appropriation to the Child Advocacy Board.

15 5 For foster care review and the court appointed special  
 15 6 advocate program, including salaries, support, maintenance,  
 15 7 and miscellaneous purposes, and for not more than the  
 15 8 following full-time equivalent positions:  
 15 9 ..... \$ 2,920,367  
 15 10 ..... FTEs 45.12

DETAIL: This is an increase of \$59,730 and no change in FTE positions compared to the estimated net FY 2009 appropriation.

15 11 a. The department of human services, in coordination with  
 15 12 the child advocacy board and the department of inspections and  
 15 13 appeals, shall submit an application for funding available  
 15 14 pursuant to Title IV-E of the federal Social Security Act for  
 15 15 claims for child advocacy board administrative review costs.

Requires the Department of Human Services, the Child Care Advocacy Board, and the DIA to cooperate in filing an application for federal funds for Child Care Advocacy Board administrative review costs.

15 16 b. The court appointed special advocate program shall  
 15 17 investigate and develop opportunities for expanding fund=  
 15 18 raising for the program.

Requires the Court-Appointed Special Advocate Program to seek additional donations and grants.

15 19 c. Administrative costs charged by the department of  
 15 20 inspections and appeals for items funded under this subsection  
 15 21 shall not exceed 4 percent of the amount appropriated in this  
 15 22 subsection.

Limits the administrative costs that the DIA can charge the Board to 4.00% of the funds appropriated. The maximum limit is \$116,815.

15 23 d. Notwithstanding any provision of sections 237.18 and  
 15 24 237.20 to the contrary, the child advocacy board may establish  
 15 25 up to six pilot projects using alternative policies to guide  
 15 26 the selection of cases and the procedures used by local  
 15 27 citizen foster care review boards as they review cases of  
 15 28 children who received or are receiving foster care or other  
 15 29 out-of-home placement services while under the supervision of  
 15 30 the department of human services. Policies to guide the pilot  
 15 31 project case selection, review time frames and reporting  
 15 32 formats shall be approved by the department of human services,  
 15 33 state court administrator, and the chief judge of any judicial  
 15 34 district in which a pilot project is to be implemented. The  
 15 35 child advocacy board shall report to the governor and general

CODE: Permits the Child Advocacy Board to establish up to six pilot projects to examine alternative policies to guide the processes and procedures by local citizen foster care review boards. Requires a report of the Board's progress to be submitted to the Governor and the General Assembly by January 1, 2010.

16 1 assembly by January 1, 2010, on the progress of any new  
16 2 approaches and their impact on efficiencies and case outcomes.

16 3 Sec. 14. RACING AND GAMING COMMISSION.

16 4 1. RACETRACK REGULATION

16 5 There is appropriated from the general fund of the state to  
16 6 the racing and gaming commission of the department of  
16 7 inspections and appeals for the fiscal year beginning July 1,  
16 8 2009, and ending June 30, 2010, the following amount, or so  
16 9 much thereof as is necessary, to be used for the purposes  
16 10 designated:

16 11 For salaries, support, maintenance, and miscellaneous  
16 12 purposes for the regulation of pari-mutuel racetracks, and for  
16 13 not more than the following full-time equivalent positions:  
16 14 ..... \$ 2,653,308  
16 15 ..... FTEs 28.53

General Fund appropriation to the Racing and Gaming Commission for regulation of racetrack casinos.

DETAIL: This is a decrease of \$277,374 and no change in FTE positions compared to the estimated net FY 2009 appropriation.

NOTE: Section 82 of SF 478 (FY 2010 Standing Appropriations Act) appropriates \$277,374 to the Racing and Gaming Commission to restore the reduction in this Act.

16 16 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION

16 17 There is appropriated from the general fund of the state to  
16 18 the racing and gaming commission of the department of  
16 19 inspections and appeals for the fiscal year beginning July 1,  
16 20 2009, and ending June 30, 2010, the following amount, or so  
16 21 much thereof as is necessary, to be used for the purposes  
16 22 designated:

16 23 For salaries, support, maintenance, and miscellaneous  
16 24 purposes for administration and enforcement of the excursion  
16 25 boat gambling and gambling structure laws, and for not more  
16 26 than the following full-time equivalent positions:  
16 27 ..... \$ 3,050,753  
16 28 ..... FTEs 42.22

General Fund appropriation to the Racing and Gaming Commission for regulation of excursion gambling boats.

DETAIL: This is a decrease of \$321,316 and no change in FTE positions compared to the estimated net FY 2009 appropriation.

NOTE: Section 82 of SF 478 (FY 2010 Standing Appropriations Act) appropriates \$321,316 to the Racing and Gaming Commission to restore the reduction in this Act.

16 29 Sec. 15. ROAD USE TAX FUND APPROPRIATION == DEPARTMENT OF  
16 30 INSPECTIONS AND APPEALS. There is appropriated from the road  
16 31 use tax fund to the administrative hearings division of the

Road Use Tax Fund appropriation to the Administrative Hearings Division of the Department of Inspections and Appeals.

16 32 department of inspections and appeals for the fiscal year  
 16 33 beginning July 1, 2009, and ending June 30, 2010, the  
 16 34 following amount, or so much thereof as is necessary, for the  
 16 35 purposes designated:  
 17 1 For salaries, support, maintenance, and miscellaneous  
 17 2 purposes:  
 17 3 ..... \$ 1,623,897

DETAIL: Maintains the current level of funding. The funds are used to cover costs associated with administrative hearings related to driver license revocations.

17 4 Sec. 16. DEPARTMENT OF MANAGEMENT. There is appropriated  
 17 5 from the general fund of the state to the department of  
 17 6 management for the fiscal year beginning July 1, 2009, and  
 17 7 ending June 30, 2010, the following amounts, or so much  
 17 8 thereof as is necessary, to be used for the purposes  
 17 9 designated:  
 17 10 1. For salaries, support, maintenance, and miscellaneous  
 17 11 purposes, and for not more than the following full-time  
 17 12 equivalent positions:  
 17 13 ..... \$ 2,811,511  
 17 14 ..... FTEs 37.50

General Fund appropriation to the Department of Management.

DETAIL: This is a decrease of \$442,109 compared to the estimated net FY 2009 appropriation.

NOTE: Section 61 of HF 820 (FY 2010 Federal Funds Appropriations Act) appropriates \$200,000 from federal stimulus funds to the DOM for costs associated with monitoring federal stimulus dollars.

17 15 Of the moneys appropriated in this subsection, the  
 17 16 department shall use a portion for enterprise resource  
 17 17 planning, providing for a salary model administrator,  
 17 18 conducting performance audits, and for the department's LEAN  
 17 19 process.

Requires the DOM to maintain positions for certain programs operated within the Department.

17 20 Sec. 17. ROAD USE TAX APPROPRIATION. There is  
 17 21 appropriated from the road use tax fund to the department of  
 17 22 management for the fiscal year beginning July 1, 2009, and  
 17 23 ending June 30, 2010, the following amount, or so much thereof  
 17 24 as is necessary, to be used for the purposes designated:  
 17 25 For salaries, support, maintenance, and miscellaneous  
 17 26 purposes:  
 17 27 ..... \$ 56,000

Road Use Tax Fund appropriation to the DOM for support and services provided to the Department of Transportation.

DETAIL: Maintains the current level of funding.

17 28 Sec. 18. DEPARTMENT OF REVENUE. There is appropriated

General Fund appropriation to the Department of Revenue.

17 29 from the general fund of the state to the department of  
 17 30 revenue for the fiscal year beginning July 1, 2009, and ending  
 17 31 June 30, 2010, the following amounts, or so much thereof as is  
 17 32 necessary, to be used for the purposes designated:  
 17 33 For salaries, support, maintenance, and miscellaneous  
 17 34 purposes, and for not more than the following full-time  
 17 35 equivalent positions:  
 18 1 ..... \$ 22,754,688  
 18 2 ..... FTEs 400.00

DETAIL: This is a decrease of \$3,577,608 and an increase of 0.99 FTE position compared to the estimated net FY 2009 appropriation.

NOTE: Section 88 of SF 478 (FY 2010 Standing Appropriations Act) appropriates \$2,500,000 from the General Fund to the Department of Revenue to offset a portion of the budget reduction in this Act.

18 3 Of the funds appropriated pursuant to this section,  
 18 4 \$400,000 shall be used to pay the direct costs of compliance  
 18 5 related to the collection and distribution of local sales and  
 18 6 services taxes imposed pursuant to chapters 423B and 423E.

Requires \$400,000 of the Department's General Fund appropriation to be used to pay the costs related to Local Option Sales and Services Taxes.

18 7 The director of revenue shall prepare and issue a state  
 18 8 appraisal manual and the revisions to the state appraisal  
 18 9 manual as provided in section 421.17, subsection 17, without  
 18 10 cost to a city or county.

Requires the Director of the Department of Revenue to prepare and issue a State Appraisal Manual at no cost to cities and counties.

DETAIL: County and city assessors are mandated by statute to use the Manual in completing assessments of real property.

18 11 Sec. 19. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is  
 18 12 appropriated from the motor fuel tax fund created by section  
 18 13 452A.77 to the department of revenue for the fiscal year  
 18 14 beginning July 1, 2009, and ending June 30, 2010, the  
 18 15 following amount, or so much thereof as is necessary, to be  
 18 16 used for the purposes designated:  
 18 17 For salaries, support, maintenance, and miscellaneous  
 18 18 purposes for administration and enforcement of the provisions  
 18 19 of chapter 452A and the motor vehicle use tax program:  
 18 20 ..... \$ 1,305,775

Motor Vehicle Fuel Tax Fund appropriation to the Department of Revenue for administration and enforcement of the Motor Vehicle Use Tax Program.

DETAIL: Maintains the current level of funding.

18 21 Sec. 20. SECRETARY OF STATE. There is appropriated from  
 18 22 the general fund of the state to the office of the secretary  
 18 23 of state for the fiscal year beginning July 1, 2009, and

General Fund appropriation to the Office of the Secretary of State.

DETAIL: This is a decrease of \$284,328 and an increase of 2.00 FTE

18 24 ending June 30, 2010, the following amounts, or so much  
 18 25 thereof as is necessary, to be used for the purposes  
 18 26 designated:  
 18 27 For salaries, support, maintenance, and miscellaneous  
 18 28 purposes, and for not more than the following full-time  
 18 29 equivalent positions:  
 18 30 ..... \$ 3,217,317  
 18 31 ..... FTEs 44.00

positions compared to the estimated net FY 2009 appropriation. In prior years, the offices of Administration and Elections and Business Services were separate appropriations. This Act combines the appropriations of both offices into a single appropriation.

18 32 The state department or state agency which provides data  
 18 33 processing services to support voter registration file  
 18 34 maintenance and storage shall provide those services without  
 18 35 charge.

Specifies that the Office of the Secretary of State cannot be charged a fee by State agencies that provide data processing services for voter registration file maintenance.

19 1 Sec. 21. SECRETARY OF STATE FILING FEES REFUND.  
 19 2 Notwithstanding the obligation to collect fees pursuant to the  
 19 3 provisions of section 490.122, subsection 1, paragraphs "a"  
 19 4 and "s", and section 504.113, subsection 1, paragraphs "a",  
 19 5 "c", "d", "j", "k", "l", and "m", for the fiscal year  
 19 6 beginning July 1, 2009, and ending June 30, 2010, the  
 19 7 secretary of state may refund these fees to the filer pursuant  
 19 8 to rules established by the secretary of state. The decision  
 19 9 of the secretary of state not to issue a refund under rules  
 19 10 established by the secretary of state is final and not subject  
 19 11 to review pursuant to the provisions of the Iowa  
 19 12 administrative procedure Act, chapter 17A.

CODE: Permits the Office of the Secretary of State to refund fees if a filer is not satisfied with the quality of service provided. The decision to issue a refund is at the discretion of the Secretary of State and is not subject to administrative review.

19 13 Sec. 22. TREASURER. There is appropriated from the  
 19 14 general fund of the state to the office of treasurer of state  
 19 15 for the fiscal year beginning July 1, 2009, and ending June  
 19 16 30, 2010, the following amount, or so much thereof as is  
 19 17 necessary, to be used for the purposes designated:  
 19 18 For salaries, support, maintenance, and miscellaneous  
 19 19 purposes, and for not more than the following full-time  
 19 20 equivalent positions:

General Fund appropriation to the Office of the Treasurer of State.

DETAIL: This is a decrease of \$115,441 and no change in FTE positions compared to the estimated net FY 2009 appropriation.

19 21 ..... \$ 949,210

19 22 ..... FTEs 28.80

19 23 The office of treasurer of state shall supply clerical and  
19 24 secretarial support for the executive council.

Requires the Treasurer of State to provide clerical support and secretarial support to the Executive Council.

19 25 Sec. 23. ROAD USE TAX APPROPRIATION. There is  
19 26 appropriated from the road use tax fund to the office of  
19 27 treasurer of state for the fiscal year beginning July 1, 2009,  
19 28 and ending June 30, 2010, the following amount, or so much  
19 29 thereof as necessary, to be used for the purposes designated:  
19 30 For enterprise resource management costs related to the  
19 31 distribution of road use tax funds:  
19 32 ..... \$ 93,148

Road Use Tax Fund appropriation to the Office of the Treasurer.

DETAIL: Maintains the current level of funding. This appropriation is used to cover fees assessed by the DAS for I/3 System costs related to the administration of the Road Use Tax Fund.

19 33 Sec. 24. IPERS == GENERAL OFFICE. There is appropriated  
19 34 from the Iowa public employees' retirement system fund to the  
19 35 Iowa public employees' retirement system for the fiscal year  
20 1 beginning July 1, 2009, and ending June 30, 2010, the  
20 2 following amount, or so much thereof as is necessary, to be  
20 3 used for the purposes designated:  
20 4 For salaries, support, maintenance, and other operational  
20 5 purposes to pay the costs of the Iowa public employees'  
20 6 retirement system, and for not more than the following full=  
20 7 time equivalent positions:  
20 8 ..... \$ 18,001,480  
20 9 ..... FTEs 95.13

Iowa Public Employees' Retirement System (IPERS) Fund appropriation to the IPERS for administration of the System.

DETAIL: This is an increase of \$156,817 and no change in FTE positions compared to the estimated net FY 2009 IPERS Fund appropriation to cover cost increases for technology services relating to the I/3 System.

20 10 Sec. 25. REBUILD IOWA OFFICE. There is appropriated from  
20 11 the general fund of the state to the rebuild Iowa office for  
20 12 the fiscal year beginning July 1, 2009, and ending June 30,  
20 13 2010, the following amount, or so much thereof as is  
20 14 necessary, to be used for the purposes designated:  
20 15 For salaries, support, maintenance, miscellaneous purposes,  
20 16 and for not more than the following full=time equivalent

General Fund appropriation to the Rebuild Iowa Office (RIO).

DETAIL: This is a new appropriation. The RIO was established through Executive Order 7. The purpose of the Office is to coordinate State activities concerning the rebuilding effort following the most recent series of natural disasters in Iowa. For FY 2010, the total budget for the Office is estimated at \$2,248,000. This includes



20 17 positions:	\$2,050,000 in federal funds and \$198,277 in State funds. The Office is currently using eight positions that are on loan from other State agencies and 11 positions on contract from Merit Resources. This Act authorizes a total of 12.00 FTE positions for the Office. This includes permanently moving seven of the eight State positions to the Office and converting five of the 11 Merit Resources positions to State employees.
20 18 ..... \$ 198,277	
20 19 ..... FTEs 12.00	
20 20 It is the intent of the general assembly that, pursuant to	Specifies the intent of the General Assembly to repeal the Rebuild
20 21 2009 Iowa Acts, House File 64, the rebuild Iowa office shall	Iowa Office on June 30, 2011.
20 22 be repealed effective June 30, 2011, and shall not receive an	
20 23 appropriation from the general fund of the state after that	
20 24 date.	
20 25 Sec. 26. STATE EMPLOYEE POSITIONS. The director of a	Directs the State agencies receiving appropriations in this Act to
20 26 department or state agency to which appropriations are made	implement cost-savings strategies that prevent, to the extent possible,
20 27 pursuant to the provisions of this Act shall implement	the permanent layoff of State employees.
20 28 cost=saving strategies designed to prevent, to the extent	
20 29 possible, permanent layoffs of state employees within that	
20 30 department or state agency.	
20 31 Sec. 27. EXPENSE REIMBURSEMENT == REQUIREMENTS.	CODE: Requires employees of agencies receiving appropriations in
20 32 Notwithstanding any provision to the contrary, for the fiscal	this Act to submit actual receipts for meals and other expenses and
20 33 year beginning July 1, 2009, and ending June 30, 2010, the	requires the employee reimbursement not exceed the actual
20 34 director of a department or state agency to which	expenses. This requirement applies to FY 2010.
20 35 appropriations are made pursuant to the provisions of this Act	
21 1 shall require employees, in order to receive reimbursement for	VETOED: The Governor vetoed this Section and stated that this
21 2 expense, to submit actual receipts for meals and other costs	language would be difficult to administer because similar language
21 3 and reimbursement up to the maximum amount shall only be	has not been consistently required for all State agencies or the
21 4 allowed in an amount equal to the sum of the actual receipts	Legislative Branch. The Governor issued Executive Order 13 to
21 5 submitted.	require the DAS to implement a policy that will require every Executive
	Branch agency to institute cost-effective and transparent practices
	that will track reimbursements paid to State employees for meals,
	travel, and other work-related costs.
21 6 Sec. 28. VEHICLE PURCHASES == LIMITATIONS. Except for	Prohibits the Department of Administrative Services from including

21 7 vehicles utilized for law enforcement purposes, motor vehicles  
21 8 purchased by the department of administrative services shall  
21 9 not, unless inclusion of the item is part of the lowest cost  
21 10 package available for the vehicle purchased, include any of  
21 11 the following items:  
21 12 1. Tube steps.  
21 13 2. Upgraded floor mats.  
21 14 3. Winches, unless otherwise necessary for use in an  
21 15 off=road vehicle.  
21 16 4. Upgraded paint in order to match the topper to the  
21 17 vehicle.  
21 18 5. Global positioning systems.  
21 19 6. Satellite radio, compact disc players, bluetooth  
21 20 capability, or upgraded stereo systems.  
21 21 7. Leather seats.

certain features on new vehicles unless the item is included in the lowest cost package of the vehicle. The requirement does not include law enforcement vehicles.

DETAIL: This Section is effective on enactment.

21 22 Sec. 29. VEHICLE PURCHASES. The department of  
21 23 administrative services shall seek to procure motor vehicles  
21 24 for state use at the lowest possible cost to the state. Motor  
21 25 vehicles purchased by the department shall not include  
21 26 optional equipment that results in an increase in the cost of  
21 27 the motor vehicle unless such optional equipment is  
21 28 specifically required by the requesting state agency or unless  
21 29 such equipment is part of the lowest cost package available  
21 30 meeting minimum specifications. A state agency seeking to  
21 31 replace a motor vehicle shall not request any equipment to be  
21 32 added to its motor vehicles except as the state agency  
21 33 determines is necessary for the department's employees in the  
21 34 safe and efficient operation of the motor vehicle. The  
21 35 department shall not seek to have any optional equipment  
22 1 removed or deleted from an order if such action would increase  
22 2 the cost of the vehicle to the state.

Requires the Department of Administrative Services to purchase vehicles for the State at the lowest possible cost. Vehicle purchases are not to include optional equipment that increases the cost to the State unless it is specifically required by a State agency. The Department will not have to remove optional equipment if such an action would increase the cost of the vehicle to the State.

22 3 Sec. 30. VEHICLE DEPRECIATION FUNDS.  
22 4 1. DEFINITIONS. For purposes of this section, "applicable  
22 5 fiscal period" means the fiscal period beginning on the

Defines the term "applicable fiscal period" for purposes of the vehicle depreciation provisions in this Section.

22 6 effective date of this section and ending June 30, 2010.

22 7 2. DEPARTMENT OF ADMINISTRATIVE SERVICES. Notwithstanding  
22 8 any provision of section 8A.365 to the contrary, a department  
22 9 or agency otherwise required to pay depreciation expense  
22 10 pursuant to that section shall not be required to pay  
22 11 depreciation expense during the applicable fiscal period.  
22 12 Notwithstanding section 8.33, moneys credited to a department  
22 13 or agency in the depreciation fund in excess of the amount  
22 14 determined by the department of administrative services is  
22 15 necessary for motor vehicle maintenance and insurance costs  
22 16 for the applicable fiscal period for that department or  
22 17 agency, shall be returned to the department or agency and used  
22 18 for the purposes of that department or agency during the  
22 19 applicable fiscal period.

CODE: Provides that State agencies are not required to pay a vehicle depreciation expense for the remainder of FY 2009 and FY 2010. Requires the Department of Administrative Services to retain only the amount necessary for motor vehicle maintenance and insurance costs in a depreciation fund and directs the Department to return money not needed for those services to the State agencies that paid into the depreciation fund.

DETAIL: This provision is effective on enactment.

22 20 3. STATE DEPARTMENT OF TRANSPORTATION. Notwithstanding  
22 21 section 8.33 and any other provision of law to the contrary,  
22 22 moneys in a depreciation fund for the purchase of motor  
22 23 vehicles by the state department of transportation in excess  
22 24 of the amount determined by the state department of  
22 25 transportation is necessary for motor vehicle maintenance and  
22 26 insurance costs for the applicable fiscal period, shall be  
22 27 returned to the state department of transportation and used  
22 28 for the purposes of that department during the applicable  
22 29 fiscal period.

CODE: Requires the Department of Transportation to have only the amount necessary for motor vehicle maintenance and insurance costs in a depreciation fund and directs the Department to return money not needed for those services back to the Department.

DETAIL: This provision is effective on enactment.

VETOED: The Governor vetoed this language and stated that a vehicle depreciation fund does not exist at the Department of Transportation and, therefore, this requirement would not be workable.

22 30 Sec. 31. EFFECTIVE DATE. The section of this division of  
22 31 this Act concerning vehicle depreciation funds, being deemed  
22 32 of immediate importance, takes effect upon enactment.

Section 30 of this Act, pertaining to vehicle depreciation, is effective on enactment.

22 33 Sec. 32. EFFECTIVE DATE == RETROACTIVE APPLICABILITY. The  
22 34 section of this division of this Act concerning discretionary  
22 35 audits by the auditor of state, being deemed of immediate  
23 1 importance, takes effect upon enactment, and is retroactively

Section 6 of this Act, pertaining to discretionary audits performed by the Auditor of State, is effective on enactment and retroactive to April 1, 2009.

23 2 applicable to April 1, 2009, and is applicable on and after  
23 3 that date.

23 4 Sec. 33. EFFECTIVE DATE. The section of this division of  
23 5 the Act limiting vehicle purchases by the department of  
23 6 administrative services, being deemed of immediate importance,  
23 7 takes effect upon enactment.

Section 28 of this Act, pertaining to vehicle purchases, is effective on enactment.

23 8 DIVISION II  
23 9 MISCELLANEOUS PROVISIONS

23 10 Sec. 34. Section 8A.454, subsection 4, Code 2009, is  
23 11 amended to read as follows:  
23 12 4. This section is repealed July 1, ~~2009~~ 2010 .

CODE: Extends the repeal date of the Health Insurance Administration Fund from July 1, 2009, to July 1, 2010.

DETAIL: The Fund is used to cover health insurance program administration costs through a monthly (per contract) administrative charge assessed by DAS on all health insurance plans administered by the Department when the contract holder has a State employer to pay the charge. The amount of the administrative charge is established by the General Assembly. The Department collects the administrative fee from each department utilizing the centralized payroll system and deposits the proceeds in the Fund. This section is effective on enactment.

23 13 Sec. 35. 2008 Iowa Acts, chapter 1176, section 5,  
23 14 subsection 1, is amended to read as follows:  
23 15 1. If any federal funding is received for the same or  
23 16 similar purposes authorized in section 47.10, as enacted by  
23 17 this Act, of the amount appropriated in this section, \$61,000  
23 18 is allocated for matching such federal funding ~~, and an amount~~  
23 19 ~~equal to the federal funding received shall revert from the~~  
23 20 ~~amount appropriated to the rebuild Iowa infrastructure fund at~~  
23 21 ~~the end of the fiscal year .~~

CODE: Eliminates a requirement for the Secretary of State to revert federal funds received for the purchase of optical scan voting systems to the Rebuild Iowa Infrastructure Fund (RIIF).

DETAIL: This Section is effective on enactment and retroactive to April 1, 2008.

23 22 Sec. 36. EFFECTIVE DATES == RETROACTIVE APPLICABILITY.

Section 34 of this Act is effective on enactment.

23 23 1. The section of this division of this Act amending  
23 24 section 8A.454, being deemed of immediate importance, takes  
23 25 effect upon enactment.

DETAIL: Section 34 changes the repeal date of the Health Insurance Administration Fund.

23 26 2. The section of this division of this Act amending 2008  
23 27 Iowa Acts, chapter 1176, section 5, subsection 1, being deemed  
23 28 of immediate importance, takes effect upon enactment and is  
23 29 retroactively applicable to federal funding received on and  
23 30 after April 1, 2008.

Section 35 of this Act is effective on enactment and retroactive to April 1, 2008.

DETAIL: Section 35 eliminates a requirement for the Secretary of State to revert federal funds.

23 31 DIVISION III  
23 32 GRANTS MANAGEMENT

23 33 Sec. 37. Section 8.9, subsection 1, Code 2009, is amended  
23 34 to read as follows:

CODE: Strikes a reference to the funding for the Office of Grants Enterprise Management (GEMS).

23 35 1. The office of grants enterprise management is  
24 1 established in the department of management. The function of  
24 2 the office is to develop and administer a system to track,  
24 3 identify, advocate for, and coordinate nonstate grants as  
24 4 defined in section 8.2, subsections 1 and 3. Staffing for the  
24 5 office of grants enterprise management shall be provided by a  
24 6 facilitator appointed by the director of the department of  
24 7 management. Additional staff may be hired, subject to the  
24 8 availability of funding. ~~Funding for the office is from the~~  
24 9 ~~appropriation to the department pursuant to section 8A.505,~~  
24 10 ~~subsection 2.~~

VETOED: The Governor vetoed this Section and stated the necessity for funding the GEMS Program to provide greater transparency for the availability and use of ARRA funds.

NOTE: The Governor did not veto Section 38 of this Act, which repeals the funding for the GEMS Program. As a result, the funding for GEMS is not restored.

24 11 Sec. 38. Section 8A.505, subsection 2, Code 2009, is  
24 12 amended by striking the subsection.

CODE: Strikes the funding for the Office of Grants Enterprise Management (GEMS).

FISCAL IMPACT: The Department of Management was allocated \$160,000 annually from indirect cost payments for the GEMS Program. Indirect costs are paid by State agencies that receive non-General Fund appropriations for non-billable services provided by

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State agencies that are funded from the General Fund. This change results in an increase to the General Fund of \$160,000.

24 13 DIVISION IV

24 14 TREASURER OF STATE PROVISIONS

24 15 Sec. 39. NEW SECTION . 12.9 EMPLOYEE CLASSIFICATIONS.

24 16 In addition to public employees listed in section 20.4,  
24 17 public employees of the treasurer of state who hold positions  
24 18 that are classified in the administrative assistant series and  
24 19 executive officer series are excluded from chapter 20.

CODE: Exempts certain positions within the Office of State Treasurer from collective bargaining provisions.

24 20 Sec. 40. Section 556.17, subsections 1 and 2, Code 2009,  
24 21 are amended to read as follows:

24 22 1. All abandoned property other than money delivered to  
24 23 the treasurer of state under this chapter which remains  
24 24 unclaimed one year after the delivery to the treasurer may be  
24 25 sold to the highest bidder ~~at public sale in any city in the~~  
24 26 state in a manner that affords in the treasurer's judgment the  
24 27 most favorable market for the property involved. The  
24 28 treasurer of state may decline the highest bid and reoffer the  
24 29 property for sale if the treasurer considers the price bid  
24 30 insufficient. The treasurer need not offer any property for  
24 31 sale if, in the treasurer's opinion, the probable cost of sale  
24 32 exceeds the value of the property. The treasurer may order  
24 33 destruction of the property when the treasurer has determined  
24 34 that the probable cost of offering the property for sale  
24 35 exceeds the value of the property. If the treasurer  
25 1 determines that the property delivered does not have any  
25 2 substantial commercial value, the treasurer may destroy or  
25 3 otherwise dispose of the property at any time. An action or  
25 4 proceeding may not be maintained against the treasurer or any  
25 5 officer or against the holder for or on account of an act the  
25 6 treasurer made under this section, except for intentional

CODE: Permits the Treasurer of State to sell abandoned property through the internet and provide notice of the sale on the Treasurer's website at least seven days prior to sale in lieu of providing notice through a publication.

25 7 misconduct or malfeasance.  
25 8 2. a. Any sale held or destruction ordered under this  
25 9 section shall be preceded by a single publication of notice of  
25 10 the sale or destruction order at least three weeks in advance  
25 11 of sale or destruction in an English language newspaper of  
25 12 general circulation in the county where the property is to be  
25 13 sold or, for the destruction, in the county from which the  
25 14 property was received , or in an English language newspaper of  
25 15 general circulation in the state .  
25 16 b. If the treasurer holds an internet auction or a sale on  
25 17 the internet, the treasurer may elect to provide notice of the  
25 18 sale or auction on the treasurer's website at least seven days  
25 19 in advance of the sale or auction in lieu of providing notice  
25 20 as otherwise provided in accordance with paragraph "a".

25 21 DIVISION V  
25 22 ETHICS AND CAMPAIGN DISCLOSURE BOARD ENFORCEMENT

25 23 Sec. 41. Section 68B.32A, Code 2009, is amended by adding  
25 24 the following new subsection:  
25 25 NEW SUBSECTION . 18. At the board's discretion, enter into  
25 26 an agreement with a political subdivision authorizing the  
25 27 board to enforce the provisions of a code of ethics adopted by  
25 28 that political subdivision.

CODE: Permits the Ethics and Campaign Disclosure Board to enter into an agreement with a political subdivision authorizing the Board to enforce a code of ethics provision adopted by the political subdivision.

25 29 DIVISION VI  
25 30 BINGO CONDUCTED AT A FAIR OR COMMUNITY FESTIVAL

25 31 Sec. 42. NEW SECTION . 99B.5A BINGO CONDUCTED AT A FAIR  
25 32 OR COMMUNITY FESTIVAL.  
25 33 1. For purposes of this section:  
25 34 a. "Community festival" means a festival of no more than  
25 35 four consecutive days in length held by a community group.  
26 1 b. "Community group" means an Iowa nonprofit, tax-exempt  
26 2 organization which is open to the general public and

CODE: Creates a bingo license and fee of \$50 for community festivals and groups to conduct bingo games for a period not to exceed four days.

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26 3 established for the promotion and development of the arts,  
26 4 history, culture, ethnicity, historic preservation, tourism,  
26 5 economic development, festivals, or municipal libraries.  
26 6 "Community group" does not include a school, college,  
26 7 university, political party, labor union, state or federal  
26 8 government agency, fraternal organization, church, convention  
26 9 or association of churches, or organizations operated  
26 10 primarily for religious purposes, or which are operated,  
26 11 supervised, controlled, or principally supported by a church,  
26 12 convention, or association of churches.

26 13 2. Bingo may lawfully be conducted at a fair, as defined  
26 14 in section 174.1, or a community festival if all the following  
26 15 conditions are met:

26 16 a. Bingo is conducted by the sponsor of the fair or  
26 17 community festival or a qualified organization licensed under  
26 18 section 99B.7 that has received permission from the sponsor of  
26 19 the fair or community festival to conduct bingo.

26 20 b. The sponsor of the fair or community festival or the  
26 21 qualified organization has submitted a license application and  
26 22 a fee of fifty dollars to the department, has been issued a  
26 23 license, and prominently displays the license at the area  
26 24 where the bingo occasion is being held. A license shall only  
26 25 be valid for the duration of the fair or community festival  
26 26 indicated on the application.

26 27 c. The number of bingo occasions shall be limited to one  
26 28 for each day of the duration of the fair or community  
26 29 festival.

26 30 d. The rules for the bingo occasion are posted.

26 31 e. Except as provided in this section, the provisions of  
26 32 sections 99B.2 and 99B.7 related to bingo shall apply.

26 33 3. An individual other than a person conducting the bingo  
26 34 occasion may participate in the bingo occasion conducted at a  
26 35 fair or community festival, whether or not conducted in  
27 1 compliance with this section.

27 2 4. Bingo occasions held under a license under this section  
27 3 shall not be counted in determining whether a qualified  
27 4 organization has conducted more than fourteen bingo occasions  
27 5 per month. In addition, bingo occasions held under this



27 6 license shall not be limited to four consecutive hours.

27 7 DIVISION VII

27 8 DEPARTMENT OF COMMERCE REVOLVING

27 9 FUND == APPROPRIATIONS

Division VII of this Act relates to the establishment of the Department of Commerce Revolving Fund and the re-direction of various industry regulatory fees and fines to the Revolving Fund. These fees and fines were previously deposited in the General Fund.

27 10 Sec. 43. Section 87.11E, subsection 5, Code 2009, is

27 11 amended to read as follows:

27 12 5. A civil penalty levied under subsection 4 shall not  
27 13 exceed one thousand dollars per violation per person, and  
27 14 shall not exceed ten thousand dollars in a single proceeding  
27 15 against any one person. All civil penalties shall be  
27 16 deposited in the general fund of the state pursuant to section  
27 17 505.7.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires deposit of civil penalties levied by the Insurance Division in the Department of Commerce Revolving Fund.

27 18 Sec. 44. Section 475A.3, subsection 3, Code 2009, is

27 19 amended to read as follows:

27 20 3. SALARIES, EXPENSES, AND APPROPRIATION. The salary of  
27 21 the consumer advocate shall be fixed by the attorney general  
27 22 within the salary range set by the general assembly. The  
27 23 salaries of employees of the consumer advocate shall be at  
27 24 rates of compensation consistent with current standards in  
27 25 industry. The reimbursement of expenses for the employees and  
27 26 the consumer advocate is as provided by law. The  
27 27 appropriation for the office of consumer advocate shall be a  
27 28 separate line item contained in the appropriation from the  
27 29 ~~general fund of the state~~ department of commerce revolving  
27 30 fund created in section 546.12 .

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Sets the salaries of the Consumer Advocate within the salary rates set by the General Assembly. Requires the Office of Consumer Advocate to have a separate line-item in the appropriation from the Department of Commerce Revolving Fund.

27 31 Sec. 45. Section 476.10, unnumbered paragraph 4, Code

27 32 2009, is amended to read as follows:

27 33 The order shall be subject to review in the manner provided  
27 34 in this chapter. All amounts collected by the division  
27 35 pursuant to the provisions of this section shall be deposited

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

28 1 with the treasurer of state and credited to the ~~general fund~~  
28 2 ~~of the state~~ department of commerce revolving fund created in  
28 3 section 546.12 . Such amounts shall be spent in accordance  
28 4 with the provisions of chapter 8.

28 5 Sec. 46. Section 476.10, unnumbered paragraph 6, Code  
28 6 2009, is amended to read as follows:  
28 7 Fees paid to the utilities division shall be deposited in  
28 8 ~~the general fund of the state~~ department of commerce revolving  
28 9 fund created in section 546.12 . These funds shall be used for  
28 10 the payment, upon appropriation by the general assembly, of  
28 11 the expenses of the utilities division and the consumer  
28 12 advocate division of the department of justice. ~~Subject to~~  
28 13 ~~this section, the utilities division or the consumer advocate~~  
28 14 ~~division may keep on hand with the treasurer of state funds in~~  
28 15 ~~excess of the current needs of the utilities division or the~~  
28 16 ~~consumer advocate division.~~

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires amounts collected by the Utilities Division to be credited to the Department of Commerce Revolving Fund. Fees paid to the Utilities Division are to be used for the payment, upon appropriation by the General Assembly, of the expenses of the Utilities Division and the Consumer Advocate.

28 17 Sec. 47. Section 476.10, unnumbered paragraph 8, Code  
28 18 2009, is amended to read as follows:  
28 19 All fees and other moneys collected under this section and  
28 20 sections 478.4, 479.16, and 479A.9 shall be deposited into the  
28 21 ~~general fund of the state~~ department of commerce revolving  
28 22 fund created in section 546.12 and expenses required to be  
28 23 paid under this section shall be paid from funds appropriated  
28 24 for those purposes. ~~Moneys deposited into the general fund of~~  
28 25 ~~the state pursuant to this section and sections 478.4, 479.16,~~  
28 26 ~~and 479A.9 shall be subject to the requirements of section~~  
28 27 ~~8.60.~~

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires amounts collected by the Utilities Division to be deposited with the Treasurer of State and credited to the Department of Commerce Revolving Fund. Fees paid to the Utilities Division are to be used for the payment, upon appropriation by the General Assembly, of the expenses of the Utilities Division and Consumer Advocate.

28 28 Sec. 48. Section 476.51, subsection 5, Code 2009, is  
28 29 amended to read as follows:  
28 30 5. Civil penalties collected pursuant to this section from  
28 31 utilities providing water, electric, or gas service shall be  
28 32 forwarded by the executive secretary of the board to the

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Credits civil penalties collected from utilities providing gas, water, or electric to the General Fund to be used only for the Low Income Home Energy Assistance Program and the Weatherization

28 33 treasurer of state to be credited to the general fund of the  
 28 34 state and to be used only for the low income home energy  
 28 35 assistance program and the weatherization assistance program  
 29 1 administered by the division of community action agencies of  
 29 2 the department of human rights. Civil penalties collected  
 29 3 pursuant to this section from utilities providing  
 29 4 telecommunications service shall be forwarded to the treasurer  
 29 5 of state to be credited to the ~~general fund of the state~~  
 29 6 department of commerce revolving fund created in section  
 29 7 546.12 to be used only for consumer education programs  
 29 8 administered by the board. Penalties paid by a rate-regulated  
 29 9 public utility pursuant to this section shall be excluded from  
 29 10 the utility's costs when determining the utility's revenue  
 29 11 requirement, and shall not be included either directly or  
 29 12 indirectly in the utility's rates or charges to customers.

Assistance Program administered by the Department of Human Rights. Credits civil penalties collected from utilities providing telecommunications services to the Department of Commerce Revolving Fund to be used only for consumer education programs.

29 13 Sec. 49. Section 476.87, subsection 3, Code 2009, is  
 29 14 amended to read as follows:  
 29 15 3. The board shall allocate the costs and expenses  
 29 16 reasonably attributable to certification and dispute  
 29 17 resolution in this section to persons identified as parties to  
 29 18 such proceeding who are engaged in or who seek to engage in  
 29 19 providing natural gas services or other persons identified as  
 29 20 participants in such proceeding. The funds received for the  
 29 21 costs and the expenses of certification and dispute resolution  
 29 22 shall be remitted to the treasurer of state for deposit in the  
 29 23 ~~general fund of the state~~ department of commerce revolving  
 29 24 fund created in section 546.12 as provided in section 476.10.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires funds received by the Utilities Division for the costs and expenses of certification and dispute resolution to be remitted to the Department of Commerce Revolving Fund.

29 25 Sec. 50. Section 476.101, subsection 10, Code 2009, is  
 29 26 amended to read as follows:  
 29 27 10. In a proceeding associated with the granting of a  
 29 28 certificate under section 476.29, approving maps and tariffs  
 29 29 for competitive local exchange providers provided for in this  
 29 30 section, or in resolving a complaint filed pursuant to  
 29 31 subsection 8 and proceedings under 47 U.S.C. 251==254, the

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires civil penalties related to the approval of maps and tariffs for competitive local exchange providers collected by the Utilities Division to be deposited in the Department of Commerce Revolving Fund.

29 32 board shall allocate the costs and expenses of the proceedings  
29 33 to persons identified as parties in the proceeding who are  
29 34 engaged in or who seek to engage in providing  
29 35 telecommunications services or other persons identified as  
30 1 participants in the proceeding. The funds received for the  
30 2 costs and the expenses shall be remitted to the treasurer of  
30 3 state for deposit in the ~~general fund of the state~~ department  
30 4 of commerce revolving fund created in section 546.12 as  
30 5 provided in section 476.10.

30 6 Sec. 51. Section 476.103, subsection 4, paragraph c, Code  
30 7 2009, is amended to read as follows:

30 8 c. A civil penalty collected pursuant to this subsection  
30 9 shall be forwarded by the executive secretary of the board to  
30 10 the treasurer of state to be credited to the ~~general fund of~~  
30 11 ~~the state~~ department of commerce revolving fund created in  
30 12 section 546.12 and to be used only for consumer education  
30 13 programs administered by the board.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires civil penalties related to unauthorized changes in service collected by the Utilities Division to be credited to the Department of Commerce Revolving Fund.

30 14 Sec. 52. Section 476A.14, subsection 1, Code 2009, is  
30 15 amended to read as follows:

30 16 1. Any person who commences to construct a facility as  
30 17 provided in this subchapter without having first obtained a  
30 18 certificate, or who constructs, operates or maintains any  
30 19 facility other than in compliance with a certificate issued by  
30 20 the board or a certificate amended pursuant to this  
30 21 subchapter, or who causes any of these acts to occur, shall be  
30 22 liable for a civil penalty of not more than ten thousand  
30 23 dollars for each violation or for each day of continuing  
30 24 violation. Civil penalties collected pursuant to this  
30 25 subsection shall be forwarded by the clerk of court to the  
30 26 treasurer of state for deposit in the ~~general fund of the~~  
30 27 ~~state~~ department of commerce revolving fund created in section  
30 28 546.12 .

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires civil penalties related to facility construction without a certificate collected by the Utilities Division to be deposited in the Department of Commerce Revolving Fund.

30 29 Sec. 53. Section 478.4, Code 2009, is amended to read as

CODE: Conforming amendment relating to the establishment of the

30 30 follows:  
 30 31 478.4 FRANCHISE == HEARING.  
 30 32 The utilities board shall consider the petition and any  
 30 33 objections filed to it in the manner provided. It shall  
 30 34 examine the proposed route or cause any engineer selected by  
 30 35 it to do so. If a hearing is held on the petition it may hear  
 31 1 testimony as may aid it in determining the propriety of  
 31 2 granting the franchise. It may grant the franchise in whole  
 31 3 or in part upon the terms, conditions, and restrictions, and  
 31 4 with the modifications as to location and route as may seem to  
 31 5 it just and proper. Before granting the franchise, the  
 31 6 utilities board shall make a finding that the proposed line or  
 31 7 lines are necessary to serve a public use and represents a  
 31 8 reasonable relationship to an overall plan of transmitting  
 31 9 electricity in the public interest. A franchise shall not  
 31 10 become effective until the petitioners shall pay, or file an  
 31 11 agreement to pay, all costs and expenses of the franchise  
 31 12 proceeding, whether or not objections are filed, including  
 31 13 costs of inspections or examinations of the route, hearing,  
 31 14 salaries, publishing of notice, and any other expenses  
 31 15 reasonably attributable to it. The funds received for the  
 31 16 costs and the expenses of the franchise proceeding shall be  
 31 17 remitted to the treasurer of state for deposit in the ~~general~~  
 31 18 ~~fund of the state~~ department of commerce revolving fund  
 31 19 created in section 546.12 as provided in section 476.10.

Department of Commerce Revolving Fund.

DETAIL: Requires funds received by the Utilities Division for the franchising process to be deposited in the Department of Commerce Revolving Fund.

31 20 Sec. 54. Section 479.16, Code 2009, is amended to read as  
 31 21 follows:  
 31 22 479.16 RECEIPT OF FUNDS.  
 31 23 All moneys received under this chapter shall be remitted  
 31 24 monthly to the treasurer of state and credited to the ~~general~~  
 31 25 ~~fund of the state~~ department of commerce revolving fund  
 31 26 created in section 546.12 as provided in section 476.10.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires moneys related to pipeline and underground gas storage received by the Utilities Division to be remitted monthly and credited to the Department of Commerce Revolving Fund. All moneys received under this chapter, other than civil penalties in Section 479B.21, Code of Iowa, will be credited to the Department of Commerce Revolving Fund.

31 27 Sec. 55. Section 479A.9, Code 2009, is amended to read as

CODE: Conforming amendment relating to the establishment of the

31 28 follows:	Department of Commerce Revolving Fund.
31 29 479A.9 DEPOSIT OF FUNDS.	
31 30 Moneys received under this chapter shall be credited to the	DETAIL: Requires moneys related to pipeline and underground gas
31 31 <del>general fund of the state</del> <u>department of commerce revolving</u>	storage received by the Utilities Division to be remitted monthly and
31 32 <u>fund created in section 546.12</u> as provided in section 476.10.	credited to the Department of Commerce Revolving Fund.
31 33 Sec. 56. Section 479B.12, Code 2009, is amended to read as	CODE: Conforming amendment relating to the establishment of the
31 34 follows:	Department of Commerce Revolving Fund.
31 35 479B.12 USE OF FUNDS.	
32 1 All moneys received under this chapter, other than civil	DETAIL: Requires moneys related to pipeline and underground gas
32 2 penalties collected pursuant to section 479B.21, shall be	storage, other than certain civil penalties, received by the Utilities
32 3 remitted monthly to the treasurer of state and credited to the	Division, to be remitted monthly and credited to the Department of
32 4 <del>general fund of the state</del> <u>department of commerce revolving</u>	Commerce Revolving Fund.
32 5 <u>fund created in section 546.12</u> .	
32 6 Sec. 57. Section 502.302, Code 2009, is amended by adding	CODE: Conforming amendment relating to the establishment of the
32 7 the following new subsection:	Department of Commerce Revolving Fund.
32 8 <u>NEW SUBSECTION</u> . 5. DEPOSIT OF FEES. Fees collected under	
32 9 this section shall be deposited as provided in section 505.7.	DETAIL: Requires fees collected by the Insurance Division under the
32 10 Sec. 58. Section 502.304A, subsection 3, Code 2009, is	CODE: Conforming amendment relating to the establishment of the
32 11 amended by adding the following new paragraph:	Department of Commerce Revolving Fund.
32 12 <u>NEW PARAGRAPH</u> . h. The fees collected under this	
32 13 subsection shall be deposited as provided in section 505.7.	DETAIL: Requires fees collected by the Insurance Division under the
32 14 Sec. 59. Section 502.305, subsection 2, Code 2009, is	CODE: Conforming amendment relating to the establishment of the
32 15 amended to read as follows:	Department of Commerce Revolving Fund.
32 16 2. FILING. Except as provided in subsection 10 and	
32 17 section 502.304A, subsection 3, paragraph "g", a person who	DETAIL: Requires fees collected by the Insurance Division under the
32 18 files a registration statement or a notice filing shall pay a	Uniform Securities Act to be deposited in the Department of
32 19 filing fee of one-tenth of one percent of the proposed	Commerce Revolving Fund.

32 20 aggregate sales price of the securities to be offered to  
32 21 persons in this state pursuant to the registration statement  
32 22 or notice filing. However, except as provided in subsection  
32 23 10, section 502.302, subsection 1, paragraph "a", and section  
32 24 502.304A, subsection 3, paragraph "g", the annual filing fee  
32 25 shall not be less than fifty dollars or more than one thousand  
32 26 dollars. The administrator shall retain the filing fee even  
32 27 if the notice filing is withdrawn or the registration is  
32 28 withdrawn, denied, suspended, revoked, or abandoned. The fees  
32 29 collected under this subsection shall be deposited as provided  
32 30 in section 505.7.

32 31 Sec. 60. Section 502.321G, Code 2009, is amended to read  
32 32 as follows:

32 33 502.321G FEES.

32 34 The administrator shall charge a nonrefundable filing fee  
32 35 of two hundred fifty dollars for a registration statement  
33 1 filed by an offeror. The fee shall be deposited as provided  
33 2 in section 505.7.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires fees collected by the Insurance Division under the Uniform Securities Act to be deposited in the Department of Commerce Revolving Fund.

33 3 Sec. 61. Section 502.410, Code 2009, is amended by adding  
33 4 the following new subsection:  
33 5 NEW SUBSECTION . 7. DEPOSIT OF FEES. Except as otherwise  
33 6 provided in subsection 2, fees collected under this section  
33 7 shall be deposited as provided in section 505.7.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires fees collected by the Insurance Division under the Uniform Securities Act to be deposited in the Department of Commerce Revolving Fund.

33 8 Sec. 62. Section 505.7, subsection 1, Code 2009, is  
33 9 amended to read as follows:  
33 10 1. All fees and charges which are required by law to be  
33 11 paid by insurance companies, associations, and other regulated  
33 12 entities shall be payable to the commissioner of the insurance  
33 13 division of the department of commerce or department of  
33 14 revenue, as provided by law, whose duty it shall be to account  
33 15 for and pay over the same to the treasurer of state at the  
33 16 time and in the manner provided by law for deposit in the

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires all fees and charges paid by insurance companies, associations, or other related entities to the Division of Insurance or Department of Revenue to be deposited in the Department of Commerce Revolving Fund. Forty percent of non-examination revenues in conjunction with the regulation of insurance companies will be deposited in the Department of Commerce Revolving Fund. The remaining non-examination revenues to the Division of Insurance

33 17 ~~general fund of the state~~ department of commerce revolving  
33 18 fund created in section 546.12 .

or Department of Revenue will be deposited in the General Fund.

33 19 Sec. 63. Section 505.7, subsection 3, Code 2009, is  
33 20 amended to read as follows:  
33 21 3. Forty percent of the nonexamination revenues payable to  
33 22 the division of insurance or the department of revenue in  
33 23 connection with the regulation of insurance companies or other  
33 24 entities subject to the regulatory jurisdiction of the  
33 25 division shall be deposited in the department of commerce  
33 26 revolving fund created in section 546.12 and shall be subject  
33 27 to annual appropriation to the division for its operations and  
33 28 is also subject to expenditure under subsection 6. The  
33 29 remaining nonexamination revenues payable to the division of  
33 30 insurance or the department of revenue shall be deposited in  
33 31 the general fund of the state.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires all fees and charges paid by insurance companies, associations, or other related entities to the Division of Insurance or Department of Revenue to be deposited in the Department of Commerce Revolving Fund. Forty percent of non-examination revenues in conjunction with the regulation of insurance companies will be deposited in the Department of Commerce Revolving Fund. The remaining non-examination revenues to the Division of Insurance or Department of Revenue will be deposited in the General Fund

33 32 Sec. 64. Section 507.9, Code 2009, is amended to read as  
33 33 follows:  
33 34 507.9 FEES == ACCOUNTING.  
33 35 All fees collected under the provisions of this chapter  
34 1 shall be paid to the commissioner of insurance and shall be  
34 2 turned into the state treasury for deposit as provided in  
34 3 section 505.7 .

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires fees related to accounting examination of insurance companies by the Division of Insurance to be deposited in the Department of Commerce Revolving Fund.

34 4 Sec. 65. Section 507B.7, subsection 4, paragraph a, Code  
34 5 2009, is amended to read as follows:  
34 6 a. A monetary penalty of not more than ten thousand  
34 7 dollars for each and every act or violation. A penalty  
34 8 collected under this lettered paragraph shall be deposited as  
34 9 provided in section 505.7.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires penalties related to accounting examination of insurance companies by the Division of Insurance to be deposited in the Department of Commerce Revolving Fund.

34 10 Sec. 66. Section 508.13, subsection 3, Code 2009, is  
34 11 amended to read as follows:  
34 12 3. A company that fails to timely file an application for

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.



34 13 renewal of its certificate of authority shall pay an  
34 14 administrative penalty of five hundred dollars to the  
34 15 treasurer of state for deposit in the general fund of the  
34 16 state as provided in section 505.7.

DETAIL: Requires penalties related to accounting examination of insurance companies by the Division of Insurance to be deposited in the Department of Commerce Revolving Fund.

34 17 Sec. 67. Section 508.14, subsection 4, Code 2009, is  
34 18 amended to read as follows:  
34 19 4. Amounts received by the commissioner pursuant to  
34 20 subsections 2 and 3 shall be paid to the treasurer of state  
34 21 for deposit in the general fund of the state as provided in  
34 22 section 505.7.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires fees related to accounting examination of insurance companies by the Division of Insurance to be deposited in the Department of Commerce Revolving Fund.

34 23 Sec. 68. Section 508.15, Code 2009, is amended to read as  
34 24 follows:  
34 25 508.15 VIOLATION BY FOREIGN COMPANY.  
34 26 Companies organized and chartered by the laws of a foreign  
34 27 state or country, failing to file the evidence of investment  
34 28 and statement within the time fixed, or failing to timely file  
34 29 any financial statement required by rule of the commissioner  
34 30 of insurance, shall forfeit and pay five hundred dollars, to  
34 31 be collected in an action in the name of the state and paid to  
34 32 the treasurer of state for deposit in the general fund of the  
34 33 state as provided in section 505.7, and their right to  
34 34 transact further new business in this state shall immediately  
34 35 cease until the requirements of this chapter have been fully  
35 1 complied with. The commissioner may give notice to a company  
35 2 which has failed to file within the time fixed that the  
35 3 company is in violation of this section and if the company  
35 4 fails to file the evidence of investment and statement within  
35 5 ten days of the date of the notice the company shall forfeit  
35 6 and pay the additional sum of one hundred dollars for each day  
35 7 the failure continues, to be paid to the treasurer of state  
35 8 for deposit in the general fund of the state as provided in  
35 9 section 505.7.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires fines charged by the Insurance Division to companies organized by the laws of a foreign state or country for failing to file the evidence of investment or failing to timely file financial statements to be deposited in the Department of Commerce Revolving Fund.

35 10 Sec. 69. Section 508E.3, subsection 10, Code 2009, is

CODE: Conforming amendment relating to the establishment of the

35 11 amended to read as follows:  
35 12 10. Fees collected pursuant to this section shall be  
35 13 deposited ~~into the general fund of the state~~ as provided in  
35 14 section 505.7 .

Department of Commerce Revolving Fund.

DETAIL: Requires fees collected by the Insurance Division to be deposited in the Department of Commerce Revolving Fund. Civil penalties are also to be deposited in the Revolving Fund.

35 15 Sec. 70. Section 508E.16, subsection 5, Code 2009, is  
35 16 amended to read as follows:  
35 17 5. In addition to the penalties and other enforcement  
35 18 provisions of this chapter, any person who violates this  
35 19 chapter is subject to a civil penalty of up to five thousand  
35 20 dollars for each violation of this chapter. The civil penalty  
35 21 shall be deposited ~~into the general fund of the state~~ as  
35 22 provided in section 505.7 . If a person has not been ordered  
35 23 to pay restitution by a court, the commissioner's order may  
35 24 require a person found to be in violation of this chapter to  
35 25 make restitution to a person aggrieved by a violation of this  
35 26 chapter.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires penalties collected by the Insurance Division to be deposited in the Department of Commerce Revolving Fund.

35 27 Sec. 71. Section 512B.25, Code 2009, is amended to read as  
35 28 follows:  
35 29 512B.25 ANNUAL LICENSE == RENEWAL.  
35 30 The authority of a society to transact business in this  
35 31 state may be renewed annually. A license terminates on the  
35 32 first day of June following issuance or renewal. A society  
35 33 shall submit annually on or before March 1 a completed  
35 34 application for renewal of its license. For each license or  
35 35 renewal the society shall pay the commissioner a fee of fifty  
36 1 dollars. A society that fails to timely file an application  
36 2 for renewal shall pay an administrative penalty of five  
36 3 hundred dollars to the treasurer of state for deposit ~~in the~~  
36 4 ~~general fund of the state~~ as provided in section 505.7. A  
36 5 duly certified copy or duplicate of the license is prima facie  
36 6 evidence that the licensee is a fraternal benefit society  
36 7 within the meaning of this chapter.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires all licenses and administrative penalties for failure to renew a license to transact business in the State issued by the Division of Insurance to be deposited in the Department of Commerce Revolving Fund.

36 8 Sec. 72. Section 514.9A, Code 2009, is amended to read as

CODE: Conforming amendment relating to the establishment of the

36 9 follows:

36 10 514.9A CERTIFICATE OF AUTHORITY == RENEWAL.

36 11 A certificate of authority of a corporation formed under  
36 12 this chapter expires on June 1 succeeding its issue and shall  
36 13 be renewed annually so long as the corporation transacts its  
36 14 business in accordance with all legal requirements. A  
36 15 corporation shall submit annually, on or before March 1, a  
36 16 completed application for renewal of its certificate of  
36 17 authority. A corporation that fails to timely file an  
36 18 application for renewal shall pay an administrative penalty of  
36 19 five hundred dollars to the treasurer of state for deposit in  
36 20 ~~the general fund of the state~~ as provided in section 505.7. A  
36 21 duly certified copy or duplicate of the certificate is  
36 22 admissible in evidence for or against the corporation with the  
36 23 same effect as the original.

Department of Commerce Revolving Fund.

DETAIL: Requires fees collected by the Insurance Division to be deposited in the Department of Commerce Revolving Fund. Civil penalties are also to be deposited in the Revolving Fund.

36 24 Sec. 73. Section 514B.3B, Code 2009, is amended to read as  
36 25 follows:

36 26 514B.3B CERTIFICATE OF AUTHORITY == RENEWAL.

36 27 A certificate of authority of a health maintenance  
36 28 organization formed under this chapter expires on June 1  
36 29 succeeding its issue and shall be renewed annually so long as  
36 30 the organization transacts its business in accordance with all  
36 31 legal requirements. A health maintenance organization shall  
36 32 submit annually, on or before March 1, a completed application  
36 33 for renewal of its certificate of authority. A health  
36 34 maintenance organization that fails to timely file an  
36 35 application for renewal shall pay an administrative penalty of  
37 1 five hundred dollars to the treasurer of state for deposit in  
37 2 ~~the general fund of the state~~ as provided in section 505.7. A  
37 3 duly certified copy or duplicate of the certificate is  
37 4 admissible in evidence for or against the organization with  
37 5 the same effect as the original.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires fees collected by the Insurance Division to be deposited in the Department of Commerce Revolving Fund. Civil penalties are also to be deposited in the Revolving Fund.

37 6 Sec. 74. Section 514B.12, subsections 3 and 4, Code 2009,  
37 7 are amended to read as follows:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

37 8 3. A health maintenance organization that fails to timely  
37 9 file the report required under subsection 1 is in violation of  
37 10 this section and shall pay an administrative penalty of five  
37 11 hundred dollars to the treasurer of state for deposit ~~in the~~  
37 12 ~~general fund of the state~~ as provided in section 505.7.  
37 13 4. The commissioner may give notice to a health  
37 14 maintenance organization that the organization has not timely  
37 15 filed the report required under subsection 1 and is in  
37 16 violation of this section. If the organization fails to file  
37 17 the required report and comply with this section within ten  
37 18 days of the date of the notice, the organization shall pay an  
37 19 additional administrative penalty of one hundred dollars for  
37 20 each day that the failure continues to the treasurer of state  
37 21 for deposit ~~in the general fund of the state~~ as provided in  
37 22 section 505.7.

DETAIL: Requires penalties collected by the Insurance Division to be deposited in the Department of Commerce Revolving Fund. Civil penalties are also to be deposited in the Revolving Fund.

37 23 Sec. 75. Section 514G.113, Code 2009, is amended to read  
37 24 as follows:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

37 25 514G.113 PENALTIES.

37 26 In addition to any other penalties provided by the laws of  
37 27 this state, any insurer or any producer found to have violated  
37 28 a provision of this chapter or any other requirement of this  
37 29 state relating to the regulation of long-term care insurance  
37 30 or the marketing of such insurance shall be subject to a fine  
37 31 of up to three times the amount of any commission paid for  
37 32 each policy involved in the violation, or up to ten thousand  
37 33 dollars, whichever is greater. A fine collected under this  
37 34 section shall be deposited as provided in section 505.7.

DETAIL: Requires an insurer or producer found in violation relating to long-term care insurance to be subject to a fine up to three times the amount paid for each policy or \$10,000, whichever is greater. Requires the fines be deposited in the Revolving Fund.

37 35 Sec. 76. Section 515.42, Code 2009, is amended to read as  
38 1 follows:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

38 2 515.42 TENURE OF CERTIFICATE == RENEWAL == EVIDENCE.

38 3 A certificate of authority shall expire on the first day of  
38 4 June next succeeding its issue, and shall be renewed annually  
38 5 so long as such company shall transact business in accordance  
38 6 with the requirements of law; a copy of which certificate,

DETAIL: Requires renewal fees of licenses and certificates and administrative penalties paid to the Insurance Division to be deposited in the Department of Commerce Revolving Fund.

38 7 when certified to by the commissioner of insurance, shall be  
38 8 admissible in evidence for or against a company with the same  
38 9 effect as the original. A company shall submit annually, on  
38 10 or before March 1, a completed application for renewal of its  
38 11 certificate of authority. A company that fails to timely file  
38 12 an application for renewal shall pay an administrative penalty  
38 13 of five hundred dollars to the treasurer of state for deposit  
38 14 ~~in the general fund of the state~~ as provided in section 505.7.

38 15 Sec. 77. Section 515.121, subsections 1 and 3, Code 2009,  
38 16 are amended to read as follows:

38 17 1. An excess and surplus lines insurance producer who  
38 18 fails to timely file the report required in section 515.120 is  
38 19 in violation of this section and shall pay an administrative  
38 20 penalty of five hundred dollars to the treasurer of state for  
38 21 ~~deposit in the general fund of the state~~ as provided in  
38 22 section 505.7.

38 23 3. The commissioner may give notice to a producer that the  
38 24 producer has not timely filed the report required under  
38 25 section 515.120 and is in violation of this section. If the  
38 26 producer fails to file the required report within ten days of  
38 27 the date of the notice, the producer shall pay an additional  
38 28 administrative penalty of one hundred dollars for each day  
38 29 that the failure continues to the treasurer of state for  
38 30 ~~deposit in the general fund of the state~~ as provided in  
38 31 section 505.7.

38 32 Sec. 78. Section 515.146, Code 2009, is amended to read as  
38 33 follows:

38 34 515.146 CERTIFICATE REFUSED == ADMINISTRATIVE PENALTY.

38 35 The commissioner of insurance shall withhold the  
39 1 commissioner's certificate or permission of authority to do  
39 2 business from a company neglecting or failing to comply with  
39 3 this chapter. In addition, a company organized or authorized  
39 4 under this chapter which fails to file the annual statement  
39 5 referred to in section 515.63 in the time required shall pay

CODE: Conforming amendment relating to the establishment of the  
Department of Commerce Revolving Fund.

DETAIL: Requires renewal fees of licenses and certificates and  
administrative penalties paid to the Insurance Division to be deposited  
in the Department of Commerce Revolving Fund.

CODE: Conforming amendment relating to the establishment of the  
Department of Commerce Revolving Fund.

DETAIL: Requires renewal fees of licenses and certificates and  
administrative penalties paid to the Insurance Division to be deposited  
in the Department of Commerce Revolving Fund

39 6 and forfeit an administrative penalty in an amount of five  
39 7 hundred dollars to be collected in the name of the state for  
39 8 ~~deposit in the general fund of the state~~ as provided in  
39 9 section 505.7. The company's right to transact further new  
39 10 business in this state shall immediately cease until the  
39 11 company has fully complied with this chapter. The  
39 12 commissioner may give notice to a company which has failed to  
39 13 file within the time required that the company is in violation  
39 14 of this section and, if the company fails to file the evidence  
39 15 of investment and statement within ten days of the date of the  
39 16 notice, the company shall forfeit and pay the additional sum  
39 17 of one hundred dollars for each day the failure continues, to  
39 18 be paid to the treasurer of state for ~~deposit in the general~~  
39 19 ~~fund of the state~~ as provided in section 505.7.

39 20 Sec. 79. Section 515.147, unnumbered paragraph 1, Code  
39 21 2009, is amended to read as follows:  
39 22 Fees shall be paid to the commissioner of insurance for  
39 23 deposit as provided in section 505.7 as follows:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires monies collected by the Insurance Division for fees and penalties to be deposited in the Department of Commerce Revolving Fund.

39 24 Sec. 80. Section 515A.17, subsection 1, Code 2009, is  
39 25 amended to read as follows:  
39 26 1. The commissioner may, if the commissioner finds that  
39 27 any person or organization has violated any provision of this  
39 28 chapter, impose a penalty of not more than one thousand  
39 29 dollars for each such violation, but if the commissioner finds  
39 30 such violation to be willful the commissioner may impose a  
39 31 penalty of not more than five thousand dollars for each such  
39 32 violation. Such penalties may be in addition to any other  
39 33 penalty provided by law. A penalty collected under this  
39 34 subsection shall be deposited as provided in section 505.7.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires monies collected by the Insurance Division for fees and penalties to be deposited in the Department of Commerce Revolving Fund.

39 35 Sec. 81. Section 515F.19, Code 2009, is amended by adding  
40 1 the following new unnumbered paragraph:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

40 2 NEW UNNUMBERED PARAGRAPH . A penalty collected under this  
40 3 section shall be deposited as provided in section 505.7.

DETAIL: Requires monies collected by the Insurance Division for fees and penalties to be deposited in the Department of Commerce Revolving Fund.

40 4 Sec. 82. Section 516E.2, subsection 2, Code 2009, is  
40 5 amended to read as follows:  
40 6 2. A service company shall not issue a service contract or  
40 7 arrange to perform services pursuant to a service contract  
40 8 unless the service company is registered with the  
40 9 commissioner. A service company shall file a registration  
40 10 with the commissioner annually, on a form prescribed by the  
40 11 commissioner, accompanied by a registration fee in the amount  
40 12 of five hundred dollars. Fees collected under this subsection  
40 13 shall be deposited as provided in section 505.7.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires monies collected by the Insurance Division for fees and penalties to be deposited in the Department of Commerce Revolving Fund.

40 14 Sec. 83. Section 518.15, subsections 5 and 6, Code 2009,  
40 15 are amended to read as follows:  
40 16 5. An association formed under this chapter that fails to  
40 17 timely file the statement required under subsection 1 or the  
40 18 application for renewal required under subsection 3 is in  
40 19 violation of this section and shall pay an administrative  
40 20 penalty of five hundred dollars to the treasurer of state for  
40 21 ~~deposit in the general fund of the state as provided in~~  
40 22 ~~section 505.7.~~ The association's right to transact new  
40 23 business in this state shall immediately cease until the  
40 24 association has fully complied with this chapter.  
40 25 6. The commissioner may give notice to an association that  
40 26 the association has not timely filed the statement required  
40 27 under subsection 1 or an application for renewal under  
40 28 subsection 3 and is in violation of this section. If the  
40 29 association fails to file the required statement or  
40 30 application and comply with this section within ten days of  
40 31 the date of the notice, the association shall pay an  
40 32 additional administrative penalty of one hundred dollars for

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires monies collected by the Insurance Division for fees and penalties to be deposited in the Department of Commerce Revolving Fund.

40 33 each day that the failure continues to the treasurer of state  
40 34 for deposit in the general fund of the state as provided in  
40 35 section 505.7.

41 1 Sec. 84. Section 518A.18, subsections 2 and 3, Code 2009,  
41 2 are amended to read as follows:

41 3 2. An association that fails to timely file the statement  
41 4 required under subsection 1 is in violation of this section  
41 5 and shall pay an administrative penalty of five hundred  
41 6 dollars for each violation to the treasurer of state for  
41 7 deposit in the general fund of the state as provided in  
41 8 section 505.7.

41 9 3. The commissioner may give notice to an association that  
41 10 the association has not timely filed the statement required  
41 11 under subsection 1 and is in violation of this section. If  
41 12 the association fails to file the required statement and  
41 13 comply with this section within ten days of the date of the  
41 14 notice, the association shall pay an additional administrative  
41 15 penalty of one hundred dollars for each day that each failure  
41 16 continues to the treasurer of state for deposit in the general  
41 17 fund of the state as provided in section 505.7.

41 18 Sec. 85. Section 518A.40, subsection 4, Code 2009, is  
41 19 amended to read as follows:

41 20 4. An association that fails to timely file the  
41 21 application for renewal required under subsection 2 is in  
41 22 violation of this section and shall pay an administrative  
41 23 penalty of five hundred dollars to the treasurer of state for  
41 24 deposit in the general fund of the state as provided in  
41 25 section 505.7.

41 26 Sec. 86. Section 520.10, subsections 4 and 5, Code 2009,  
41 27 are amended to read as follows:

41 28 4. A reciprocal or interinsurance insurer that fails to  
41 29 timely file the report required under subsection 1 is in  
41 30 violation of this section and shall pay an administrative

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires monies collected by the Insurance Division for fees and penalties to be deposited in the Department of Commerce Revolving Fund.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

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CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires monies collected by the Insurance Division for fees and penalties to be deposited in the Department of Commerce



41 31 penalty of five hundred dollars to the treasurer of state for  
41 32 deposit in the general fund of the state as provided in  
41 33 section 505.7.  
41 34 5. The commissioner may give notice to a reciprocal or  
41 35 interinsurance insurer that the insurer has not timely filed  
42 1 the report required under subsection 1 and is in violation of  
42 2 this section. If the insurer fails to file the required  
42 3 report and comply with this section within ten days of the  
42 4 date of the notice, the insurer shall pay an additional  
42 5 administrative penalty of one hundred dollars for each day  
42 6 that the failure continues to the treasurer of state for  
42 7 deposit in the general fund of the state as provided in  
42 8 section 505.7.

Revolving Fund.

42 9 Sec. 87. Section 520.12, subsection 2, Code 2009, is  
42 10 amended to read as follows:  
42 11 2. A reciprocal or interinsurance insurer shall submit  
42 12 annually, on or before March 1, a completed application for  
42 13 renewal of the insurer's certificate of authority. An insurer  
42 14 that fails to timely file an application for renewal shall pay  
42 15 an administrative fee of five hundred dollars to the treasurer  
42 16 of state for deposit in the general fund of the state as  
42 17 provided in section 505.7.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires monies collected by the Insurance Division for fees and penalties to be deposited in the Department of Commerce Revolving Fund.

42 18 Sec. 88. Section 521A.10, subsection 1, Code 2009, is  
42 19 amended to read as follows:  
42 20 1. If the commissioner finds after notice and hearing that  
42 21 a person subject to registration under section 521A.4 failed  
42 22 without just cause to file a registration statement as  
42 23 required in this chapter, the person shall be required to pay  
42 24 a penalty of one thousand dollars for each day's delay. The  
42 25 penalty shall be recovered by the commissioner and paid into  
42 26 the state general fund deposited as provided in section 505.7 .  
42 27 The maximum penalty under this section is ten thousand  
42 28 dollars. The commissioner may reduce the penalty if the  
42 29 person demonstrates that the imposition of the penalty would

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires monies collected by the Insurance Division for fees and penalties to be deposited in the Department of Commerce Revolving Fund.

42 30 constitute a financial hardship to the person.

42 31 Sec. 89. Section 522A.5, Code 2009, is amended to read as  
42 32 follows:

42 33 522A.5 FEES.

42 34 The fee for a counter employee license shall be fifty  
42 35 dollars per counter employee. In no case shall any combined  
43 1 fees exceed one thousand dollars in any calendar year for any  
43 2 one rental company or limited license or licensee or renewal  
43 3 license. The fees collected under this section shall be  
43 4 deposited as provided in section 505.7.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires monies collected by the Insurance Division for fees and penalties to be deposited in the Department of Commerce Revolving Fund.

43 5 Sec. 90. Section 522B.5, Code 2009, is amended by adding  
43 6 the following new subsection:

43 7 NEW SUBSECTION . 4. Fees collected under this section  
43 8 shall be deposited as provided in section 505.7.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires monies collected by the Insurance Division for fees and penalties to be deposited in the Department of Commerce Revolving Fund.

43 9 Sec. 91. Section 523A.204, subsection 4, Code 2009, is  
43 10 amended to read as follows:

43 11 4. The commissioner shall levy an administrative penalty  
43 12 in the amount of five hundred dollars against a preneed seller  
43 13 that fails to file the annual report when due, payable to the  
43 14 state for deposit ~~in the general fund of the state~~ as provided  
43 15 in section 505.7 .

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires monies collected by the Insurance Division for fees and penalties to be deposited in the Department of Commerce Revolving Fund.

43 16 Sec. 92. Section 523A.501, Code 2009, is amended by adding  
43 17 the following new subsection:

43 18 NEW SUBSECTION . 9. Fees collected under this section  
43 19 shall be deposited as provided in section 505.7.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund

DETAIL: Requires monies collected by the Insurance Division for fees and penalties to be deposited in the Department of Commerce Revolving Fund.

43 20 Sec. 93. Section 523A.502, subsection 3, Code 2009, is

CODE: Conforming amendment relating to the establishment of the

43 21 amended to read as follows:  
43 22 3. An application for a sales license shall be filed on a  
43 23 form prescribed by the commissioner and be accompanied by a  
43 24 filing fee in an amount set by the commissioner by rule. The  
43 25 fees collected under this subsection shall be deposited as  
43 26 provided in section 505.7.

Department of Commerce Revolving Fund.

DETAIL: Requires monies collected by the Insurance Division for fees and penalties to be deposited in the Department of Commerce Revolving Fund.

43 27 Sec. 94. Section 523A.502A, subsection 3, Code 2009, is  
43 28 amended to read as follows:  
43 29 3. The commissioner shall levy an administrative penalty  
43 30 in the amount of five hundred dollars against a sales agent  
43 31 who fails to file an annual report when due, payable to the  
43 32 state for deposit ~~in the general fund~~ as provided in section  
43 33 505.7 .

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires monies collected by the Insurance Division for fees and penalties to be deposited in the Department of Commerce Revolving Fund.

43 34 Sec. 95. Section 523A.504, subsection 2, Code 2009, is  
43 35 amended to read as follows:  
44 1 2. A preneed seller shall pay an annual fee of five  
44 2 dollars for each sales agent appointed by the preneed seller,  
44 3 which fee shall be submitted with the annual report. Fees  
44 4 collected under this subsection shall be deposited as provided  
44 5 in section 505.7.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires monies collected by the Insurance Division for fees and penalties to be deposited in the Department of Commerce Revolving Fund.

44 6 Sec. 96. Section 523A.807, subsection 3, paragraph a, Code  
44 7 2009, is amended to read as follows:  
44 8 a. Payment of a civil penalty of not more than one  
44 9 thousand dollars for each violation, but not exceeding an  
44 10 aggregate of ten thousand dollars during any six-month period,  
44 11 except that if the commissioner finds that the person knew or  
44 12 reasonably should have known that the person was in violation  
44 13 of such provisions or rules adopted pursuant thereto, the  
44 14 penalty shall be not more than five thousand dollars for each  
44 15 violation, but not exceeding an aggregate of fifty thousand  
44 16 dollars during any six-month period. The commissioner shall  
44 17 assess the penalty on the employer of an individual and not on

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires monies collected by the Insurance Division for fees and penalties to be deposited in the Department of Commerce Revolving Fund.

44 18 the individual, if the commissioner finds that the violations  
44 19 committed by the individual were directed, encouraged,  
44 20 condoned, ignored, or ratified by the individual's employer.  
44 21 Any civil penalties collected under this subsection shall be  
44 22 deposited as provided in section 505.7.

44 23 Sec. 97. Section 523A.812, Code 2009, is amended to read  
44 24 as follows:  
44 25 523A.812 INSURANCE DIVISION REGULATORY FUND.  
44 26 The insurance division may authorize the creation of a  
44 27 special revenue fund in the state treasury, to be known as the  
44 28 insurance division regulatory fund. The commissioner shall  
44 29 allocate annually from the fees paid pursuant to section  
44 30 523A.204, two dollars for each purchase agreement reported on  
44 31 a preneed seller's annual report filed pursuant to section  
44 32 523A.204 for deposit to the regulatory fund. The remainder of  
44 33 the fees collected pursuant to section 523A.204 shall be  
44 34 ~~deposited into the general fund of the state~~ as provided in  
44 35 section 505.7. The commissioner shall also allocate annually  
45 1 the examination fees paid pursuant to section 523A.814 and any  
45 2 examination expense reimbursement for deposit to the  
45 3 regulatory fund. The moneys in the regulatory fund shall be  
45 4 retained in the fund. The moneys are appropriated and,  
45 5 subject to authorization by the commissioner, may be used to  
45 6 pay examiners, examination expenses, investigative expenses,  
45 7 the expenses of mediation ordered by the commissioner,  
45 8 consumer education expenses, the expenses of a toll-free  
45 9 telephone line to receive consumer complaints, and the  
45 10 expenses of receiverships established under section 523A.811.  
45 11 If the commissioner determines that funding is not otherwise  
45 12 available to reimburse the expenses of a person who receives  
45 13 title to a cemetery subject to chapter 523I, pursuant to such  
45 14 a receivership, the commissioner shall use moneys in the  
45 15 regulatory fund as necessary to preserve, protect, restore,  
45 16 and maintain the physical integrity of that cemetery and to  
45 17 satisfy claims or demands for cemetery merchandise, funeral  
45 18 merchandise, and funeral services based on purchase agreements

CODE: Conforming amendment relating to the establishment of the  
Department of Commerce Revolving Fund.

DETAIL: Requires \$2.00 from each purchase agreement reported on  
a preneed seller's annual report to be deposited in the Insurance  
Division Regulatory Fund. The remainder of the fees are to be  
deposited in the Department of Commerce Revolving Fund.

45 19 which the commissioner determines are just and outstanding.  
45 20 An annual allocation to the regulatory fund shall not be  
45 21 imposed if the current balance of the fund exceeds five  
45 22 hundred thousand dollars.

45 23 Sec. 98. Section 523C.3, Code 2009, is amended by adding  
45 24 the following new subsection:  
45 25 NEW SUBSECTION . 4. Fees collected under this section  
45 26 shall be deposited as provided in section 505.7.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires civil penalties assessed by the Insurance Division to be deposited in the Department of Commerce Revolving Fund.

45 27 Sec. 99. Section 523C.13, subsection 1, Code 2009, is  
45 28 amended to read as follows:  
45 29 1. Payment of a civil penalty of not more than one  
45 30 thousand dollars for each and every act or violation, but not  
45 31 to exceed an aggregate of ten thousand dollars, unless the  
45 32 person knew or reasonably should have known the person was in  
45 33 violation of this section, in which case the penalty shall be  
45 34 not more than five thousand dollars for each and every act or  
45 35 violation, but not to exceed an aggregate penalty of fifty  
46 1 thousand dollars in any one six-month period. The  
46 2 commissioner shall, if it finds the violations of this section  
46 3 were directed, encouraged, condoned, ignored, or ratified by  
46 4 the employer of such person, assess such fine to the employer  
46 5 and not such person. Any civil penalties collected under this  
46 6 subsection shall be deposited as provided in section 505.7.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires civil penalties assessed by the Insurance Division to be deposited in the Department of Commerce Revolving Fund.

46 7 Sec. 100. Section 523D.2A, unnumbered paragraph 1, Code  
46 8 2009, is amended to read as follows:  
46 9 On or before March 1 of each year, a provider shall file a  
46 10 certification with the commissioner in a manner and according  
46 11 to requirements established by the commissioner. The  
46 12 certification shall be accompanied by a one hundred dollar  
46 13 administrative fee which fee shall be deposited as provided in  
46 14 section 505.7 . The certification shall attest that according  
46 15 to the best knowledge and belief of the attesting party, the

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires civil penalties assessed by the Insurance Division to be deposited in the Department of Commerce Revolving Fund.

46 16 facility administered by the provider is in compliance with  
46 17 the provisions of this chapter, including rules adopted by the  
46 18 commissioner or orders issued by the commissioner as  
46 19 authorized under this chapter. The attesting person may be  
46 20 any of the following:

46 21 Sec. 101. Section 523I.205, subsection 3, Code 2009, is  
46 22 amended to read as follows:

46 23 3. A person who violates a provision of this chapter or  
46 24 rules adopted or orders issued under this chapter may be  
46 25 subject to civil penalties in addition to criminal penalties.  
46 26 The commissioner may impose, assess, and collect a civil  
46 27 penalty not exceeding ten thousand dollars for each violation.  
46 28 For the purposes of computing the amount of each civil  
46 29 penalty, each day of a continuing violation constitutes a  
46 30 separate violation. All civil penalties collected pursuant to  
46 31 this section shall be deposited ~~in the general fund of the~~  
46 32 ~~state~~ as provided in section 505.7.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires civil penalties assessed by the Insurance Division to be deposited in the Department of Commerce Revolving Fund.

46 33 Sec. 102. Section 523I.813, subsection 3, Code 2009, is  
46 34 amended to read as follows:

46 35 3. The commissioner shall levy an administrative penalty  
47 1 in the amount of five hundred dollars against a cemetery that  
47 2 fails to file the annual report when due, payable to the state  
47 3 for deposit ~~in the general fund of the state~~ as provided in  
47 4 section 505.7.

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires civil penalties assessed by the Insurance Division to be deposited in the Department of Commerce Revolving Fund.

47 5 Sec. 103. Section 524.207, subsections 1, 3, and 4, Code  
47 6 2009, are amended to read as follows:

47 7 1. ~~All~~ Except as otherwise provided by statute, all  
47 8 expenses required in the discharge of the duties and  
47 9 responsibilities imposed upon the banking division of the  
47 10 department of commerce, the superintendent, and the state  
47 11 banking council by the laws of this state shall be paid from  
47 12 fees provided by the laws of this state and appropriated by

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires fees and moneys paid to the Banking Division to be deposited in the Department of Commerce Revolving Fund.

47 13 the general assembly from the ~~general fund of the state~~  
47 14 department of commerce revolving fund created in section  
47 15 546.12 . All of these fees are payable to the superintendent.  
47 16 The superintendent shall pay all the fees and other moneys  
47 17 received by the superintendent to the treasurer of state  
47 18 within the time required by section 12.10 and the fees and  
47 19 other moneys shall be deposited into the ~~general fund of the~~  
47 20 ~~state~~ department of commerce revolving fund created in section  
47 21 546.12 . ~~The superintendent may keep on hand with the~~  
47 22 ~~treasurer of state funds in excess of the current needs of the~~  
47 23 ~~division to the extent recommended by the state banking~~  
47 24 ~~council.~~  
47 25 3. The banking division may expend additional funds,  
47 26 including funds for additional personnel, if those additional  
47 27 expenditures are actual expenses which exceed the funds  
47 28 budgeted for bank or licensee examinations or investigations  
47 29 and directly result from examinations or investigations of  
47 30 banks or licensees . The amounts necessary to fund the excess  
47 31 examination or investigation expenses shall be collected from  
47 32 banks and licensees being regulated, and the collections shall  
47 33 be treated as repayment receipts as defined in section 8.2.  
47 34 The division shall notify in writing the legislative services  
47 35 agency and the department of management when hiring additional  
48 1 personnel. The written notification shall include  
48 2 documentation that any additional expenditure related to such  
48 3 hiring will be totally reimbursed ~~to the general fund~~ as  
48 4 provided in section 546.12, subsection 2 , and shall also  
48 5 include the division's justification for hiring such  
48 6 personnel. The division must obtain the approval of the  
48 7 department of management only if the number of additional  
48 8 personnel to be hired exceeds the number of full-time  
48 9 equivalent positions authorized by the general assembly.  
48 10 4. All fees and moneys collected shall be deposited into  
48 11 the ~~general fund of the state~~ department of commerce revolving  
48 12 fund created in section 546.12 and expenses required to be  
48 13 paid under this section shall be paid from ~~funds~~ moneys in the  
48 14 department of commerce revolving fund and appropriated for  
48 15 those purposes. ~~Moneys deposited into the general fund of the~~

48 16 ~~state pursuant to this section shall be subject to the~~  
48 17 ~~requirements of section 8.60.~~

48 18 Sec. 104. Section 533.111, subsections 1, 3, 4, and 5,  
48 19 Code 2009, are amended to read as follows:  
48 20 1. a. All expenses required in the discharge of the  
48 21 duties and responsibilities imposed upon the credit union  
48 22 division, the superintendent, and the review board by the laws  
48 23 of this state shall be paid from fees provided by the laws of  
48 24 this state and appropriated by the general assembly from the  
48 25 ~~general fund of the state~~ department of commerce revolving  
48 26 fund created in section 546.12 .

48 27 b. All fees imposed under this chapter are payable to the  
48 28 superintendent, who shall pay all fees and other moneys  
48 29 received to the treasurer of state within the time required by  
48 30 section 12.10. The treasurer of state shall deposit such  
48 31 funds in the ~~general fund of the state~~ department of commerce  
48 32 revolving fund created in section 546.12 .

48 33 3. The credit union division may expend additional funds,  
48 34 including funds for additional personnel, if the additional  
48 35 expenditures are actual expenses that exceed the funds  
49 1 budgeted for credit union examinations and directly result  
49 2 from examinations of state credit unions.

49 3 a. The amounts necessary to fund the excess examination  
49 4 expenses shall be collected from state credit unions being  
49 5 regulated, and the collections shall be treated as repayment  
49 6 receipts as defined in section 8.2.

49 7 b. The division shall notify in writing the legislative  
49 8 services agency and the department of management when hiring  
49 9 additional personnel. The written notification shall include  
49 10 documentation that any additional expenditure related to such  
49 11 hiring will be totally reimbursed ~~to the general fund of the~~  
49 12 ~~state~~ as provided in section 546.12, subsection 2 , and shall  
49 13 also include the division's justification for hiring such  
49 14 personnel. The division must obtain the approval of the  
49 15 department of management only if the number of additional  
49 16 personnel to be hired exceeds the number of full-time

CODE: Conforming amendment relating to the establishment of the  
Department of Commerce Revolving Fund.

DETAIL: Requires fees and moneys paid to the Credit Union Division  
to be deposited in the Department of Commerce Revolving Fund.



49 17 equivalent positions authorized by the general assembly.  
49 18 4. a. All fees and other moneys collected shall be  
49 19 deposited into the ~~general fund of the state~~ department of  
49 20 commerce revolving fund created in section 546.12 and expenses  
49 21 required to be paid under this section shall be paid from  
49 22 ~~funds~~ moneys in the department of commerce revolving fund and  
49 23 appropriated for those purposes. ~~Moneys deposited into the~~  
49 24 ~~general fund of the state pursuant to this section shall be~~  
49 25 ~~subject to the requirements of section 8.60.~~  
49 26 b. Funds appropriated to the credit union division shall  
49 27 be subject at all times to the warrant of the director of  
49 28 revenue, drawn upon written requisition of the superintendent  
49 29 or a designated representative, for the payment of all  
49 30 salaries and other expenses necessary to carry out the duties  
49 31 of the credit union division.  
49 32 5. The credit union division may accept reimbursement of  
49 33 expenses related to the examination of a state credit union  
49 34 from the national credit union administration or any other  
49 35 guarantor or insurance plan authorized by this chapter. These  
50 1 reimbursements shall be deposited into the ~~general fund of the~~  
50 2 ~~state~~ department of commerce revolving fund created in section  
50 3 546.12 .

50 4 Sec. 105. Section 533A.14, Code 2009, is amended to read  
50 5 as follows:  
50 6 533A.14 FEES TO STATE TREASURER.  
50 7 All moneys received by the superintendent from fees,  
50 8 licenses and examinations pursuant to this chapter shall be  
50 9 deposited by the superintendent with the treasurer of state  
50 10 for deposit in the department of commerce revolving fund  
50 11 created in section 546.12 .

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires fees and moneys paid to the Credit Union Division to be deposited in the Department of Commerce Revolving Fund.

50 12 Sec. 106. Section 534.305, Code 2009, is amended to read  
50 13 as follows:  
50 14 534.305 REDEMPTION.  
50 15 When funds are on hand for the purpose, the association may

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Permits savings accounts that have been validly called for redemption to be tendered for payment within ten years from the date

50 16 redeem by lot or otherwise, as the board of directors  
50 17 determines, all or any part of any of its savings accounts on  
50 18 a dividend date by giving thirty days' notice by registered  
50 19 mail addressed to the account holders at their last addresses  
50 20 recorded on the books of the association. An association  
50 21 shall not redeem its share accounts when the association is in  
50 22 an impaired condition or when it has applications for  
50 23 withdrawal which have been on file more than thirty days and  
50 24 have not been reached for payment. The redemption price of a  
50 25 savings account shall be the full value of the account  
50 26 redeemed, as determined by the board of directors, but the  
50 27 redemption value shall not be less than the withdrawal value.  
50 28 If the notice of redemption has been given, and if on or  
50 29 before the redemption date the funds necessary for the  
50 30 redemption have been set aside for redemptions, dividends upon  
50 31 the accounts called for redemption shall cease to accrue from  
50 32 and after the dividend date specified as the redemption date,  
50 33 and rights with respect to those accounts terminate as of the  
50 34 redemption date, subject only to the right of the account  
50 35 holder of record to receive the redemption value without  
51 1 interest. Savings accounts which have been validly called for  
51 2 redemption must be tendered for payment within ten years from  
51 3 the date of redemption designated in the redemption notice, or  
51 4 they shall be canceled and paid to the treasurer of state for  
51 5 deposit in the ~~general fund of the state~~ department of  
51 6 commerce revolving fund created in section 546.12 and all  
51 7 claims of the account holders against the association are  
51 8 barred forever. Redemption shall not be made of any savings  
51 9 accounts which are held by a person who is a director and  
51 10 which are necessary to qualify the person to act as director.

of redemption designated in the redemption notice, or paid to the  
Department of Commerce Revolving Fund and all claims of the  
account holders against the association are barred forever.

51 11 Sec. 107. Section 534.408, Code 2009, is amended by adding  
51 12 the following new subsection:  
51 13 NEW SUBSECTION . 3. All fees collected under this chapter  
51 14 shall be deposited with the treasurer of state in the  
51 15 department of commerce revolving fund created in section  
51 16 546.12.

CODE: Conforming amendment relating to the establishment of the  
Department of Commerce Revolving Fund.

51 17 Sec. 108. NEW SECTION . 546.12 DEPARTMENT OF COMMERCE  
51 18 REVOLVING FUND.

51 19 1. A department of commerce revolving fund is created in  
51 20 the state treasury. The fund shall consist of moneys  
51 21 collected by the banking division; credit union division;  
51 22 utilities division, including moneys collected on behalf of  
51 23 the office of consumer advocate established in section 475A.3;  
51 24 and the insurance division of the department; and deposited  
51 25 into an account for that division or office within the fund on  
51 26 a monthly basis. Except as otherwise provided by statute, all  
51 27 costs for operating the office of consumer advocate and the  
51 28 banking division, the credit union division, the utilities  
51 29 division, and the insurance division of the department shall  
51 30 be paid from the division's accounts within the fund, subject  
51 31 to appropriation by the general assembly.

CODE: Creates the Department of Commerce Revolving Fund in the State Treasury. The Fund is to consist of moneys collected by the Banking Division, Credit Union Division, Insurance Division, and the Utilities Division. Except as otherwise provided by statute, all costs for operating the Divisions are to be paid from the Revolving Fund, subject to appropriation by the General Assembly.

51 32 2. To meet cash flow needs for the office of consumer  
51 33 advocate and the banking division, credit union division,  
51 34 utilities division, or the insurance division of the  
51 35 department, the administrative head of that division or office  
52 1 may temporarily use funds from the general fund of the state  
52 2 to pay expenses in excess of moneys available in the revolving  
52 3 fund for that division or office if those additional  
52 4 expenditures are fully reimbursable and the division or office  
52 5 reimburses the general fund of the state and ensures all  
52 6 moneys are repaid in full by the close of the fiscal year.  
52 7 Because any general fund moneys used shall be fully  
52 8 reimbursed, such temporary use of funds from the general fund  
52 9 of the state shall not constitute an appropriation for  
52 10 purposes of calculating the state general fund expenditure  
52 11 limitation pursuant to section 8.54.

CODE: Permits each Division to temporarily use funds from the General Fund to pay expenditures in excess of the amount of money available in the Revolving Fund to meet cash flow needs.

52 12 Sec. 109. 2009 Iowa Acts, Senate File 475, section 2, if  
52 13 enacted, is amended by striking the section and inserting in  
52 14 lieu thereof the following:  
52 15 SEC. 2. OFFICE OF CONSUMER ADVOCATE. There is

CODE: Strikes a General Fund appropriation of \$2,809,606 and 27.00 FTE positions from SF 475 (FY 2010 Justice System Appropriations Act) for the Office of Consumer Advocate and appropriates \$3,138,888 and 27.00 FTE positions from the

52 16 appropriated from the department of commerce revolving fund  
 52 17 created in section 546.12, if enacted by 2009 Iowa Acts, House  
 52 18 File 809, to the office of consumer advocate of the department  
 52 19 of justice for the fiscal year beginning July 1, 2009, and  
 52 20 ending June 30, 2010, the following amount, or so much thereof  
 52 21 as is necessary, to be used for the purposes designated:  
 52 22 For salaries, support, maintenance, miscellaneous purposes,  
 52 23 and for not more than the following full-time equivalent  
 52 24 positions:  
 52 25 ..... \$ 3,138,888  
 52 26 ..... FTEs 27.00

Department of Commerce Revolving Fund.

52 27 DIVISION VIII  
 52 28 DEPARTMENT OF INSPECTIONS AND APPEALS PROVISIONS

52 29 Sec. 110. Section 99B.2, subsection 1, paragraph a,  
 52 30 unnumbered paragraph 1, Code 2009, is amended to read as  
 52 31 follows:  
 52 32 The department of inspections and appeals shall issue the  
 52 33 licenses required by this chapter. A license shall not be  
 52 34 issued, except upon submission to the department of an  
 52 35 application on forms furnished, determined by the department,  
 53 1 and the required license fee. A license may be issued to an  
 53 2 eligible applicant. ~~An authorization number to operate may be~~  
 53 3 ~~issued to an applicant until a license is issued.~~ However, a  
 53 4 license or authorization number shall not be issued to an  
 53 5 applicant who has been convicted of or pled guilty to a  
 53 6 violation of this chapter, or who has been convicted of or  
 53 7 pled guilty to a violation of chapter 123 that resulted, at  
 53 8 any time, in revocation of a license issued to the applicant  
 53 9 under chapter 123 or that resulted, within the twelve months  
 53 10 preceding the date of application for a license required by  
 53 11 this chapter, in suspension of a license issued under chapter  
 53 12 123. To be eligible for a two-year license under section  
 53 13 99B.7, an organization shall have been in existence at least  
 53 14 five years prior to the date of issuance of the license.

CODE: Eliminates a requirement that the Department of Inspections and Appeals (DIA) provide temporary authorization numbers until a bingo license is issued.

53 15 However, an organization which has been in existence for less  
53 16 than five years prior to the date of issuance of the license  
53 17 may obtain a two-year license if either of the following  
53 18 conditions apply:

53 19 Sec. 111. Section 99B.2, subsection 1, paragraph b, Code  
53 20 2009, is amended to read as follows:  
53 21 b. A license shall not be issued to an individual whose  
53 22 previous license issued under this chapter or chapter 123 has  
53 23 been revoked until the period of revocation or revocations has  
53 24 elapsed. This prohibition applies even though the individual  
53 25 has created a different legal entity than the one to which the  
53 26 previous license that had been revoked was issued. Except as  
53 27 otherwise provided in this chapter, a license is valid for a  
53 28 period of two years from the date of issue. The license fee  
53 29 is not refundable, but shall be returned to the applicant if  
53 30 an application is not approved. ~~If a bingo license is issued~~  
53 31 ~~by the department of inspections and appeals, the licensee~~  
53 32 ~~shall be notified by the department of inspections and appeals~~  
53 33 ~~of the renewal date for the license ten days prior to that~~  
53 34 ~~date.~~

CODE: Eliminates a requirement that the DIA notify a bingo licensee of a renewal for a bingo license ten days prior to the renewal date.

53 35 Sec. 112. Section 99B.2, subsection 4, Code 2009, is  
54 1 amended to read as follows:  
54 2 4. A licensee required by subsection 2 to maintain records  
54 3 shall submit ~~quarterly reports~~ an annual report to the  
54 4 department on forms furnished by the department. ~~These~~  
54 5 ~~reports~~ The annual report shall be due thirty days following  
54 6 the end of each ~~calendar quarter~~ fiscal year. The ~~reports~~  
54 7 annual report shall contain a compilation of the information  
54 8 required to be recorded by subsection 2, and shall include all  
54 9 of the transactions occurring during the ~~three-month period~~  
54 10 previous fiscal year for which the report is submitted.  
54 11 Failure to submit the ~~quarterly reports~~ annual report is  
54 12 grounds for revocation of the license. Willful failure to  
54 13 submit ~~quarterly reports~~ the annual report is a serious

CODE: Changes bingo licensee reporting requirements to the DIA from quarterly reports to an annual report.

54 14 misdemeanor. However, the time for filing of reports may be  
54 15 extended for thirty days if the licensee makes written request  
54 16 to the department for an extension which request shows good  
54 17 cause for granting the extension. A person who intentionally  
54 18 files a false or fraudulent report or application with the  
54 19 department commits a fraudulent practice.

54 20 Sec. 113. Section 237.18, subsections 3 and 4, Code 2009,  
54 21 are amended to read as follows:

54 22 3. Assign the ~~case~~ cases of ~~each child~~ children receiving  
54 23 foster care ~~within the judicial district~~ to the appropriate  
54 24 local ~~board~~ boards.

54 25 4. Assist local boards in reviewing ~~each case~~ cases of a  
54 26 ~~child~~ children receiving foster care, as provided in section  
54 27 237.20.

CODE: Changes the requirements for the Foster Care Review Board related to the assignment of cases to the local boards.

54 28 Sec. 114. Section 237.20, subsection 1, unnumbered  
54 29 paragraph 1, Code 2009, is amended to read as follows:  
54 30 Review ~~at least every six months~~ the case of each child  
54 31 receiving foster care assigned to the local board by the state  
54 32 board to determine whether satisfactory progress is being made  
54 33 toward the goals of the case permanency plan pursuant to  
54 34 section 237.22. ~~As much as is possible, review shall be~~  
54 35 ~~conducted immediately prior to~~ The timing and frequency of a  
55 1 review of each case by a local board shall take into  
55 2 consideration the permanency goals, placement setting, and  
55 3 frequency of any court reviews of the case.

CODE: Strikes the requirement for six-month review of cases by local Foster Care Review Boards.